



Digitized by the Internet Archive
in 2022 with funding from
University of Toronto

<https://archive.org/details/31761114670821>

20N
19
52

142



A-1

A-1

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 25 April 2001

Journal des débats (Hansard)

Mercredi 25 avril 2001

**Standing committee on
government agencies**

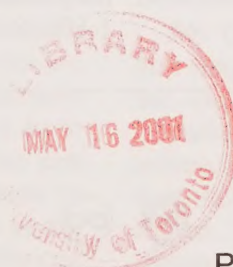
Subcommittee reports

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapports du sous-comité

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 25 April 2001

Mercredi 25 avril 2001

The committee met at 1008 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'm going to call the committee to order. There are a couple of house-keeping matters to start with. I'll do the easy one first, and it is very minor. On page 2 of our information, called Standing Committee on Government Agencies, Report of the Subcommittee, Thursday, April 12, 2001, down near the bottom it should read "North Bay District Health Unit" instead of "District Health Council." It's called North Bay District Health Unit in that particular case. Many of us in our parts of the province have them called councils. I just want to ensure that is correct.

I also want to talk about some scheduling problems we have this morning. First of all, I should get a mover for the report of the subcommittee on committee business dated Thursday, April 12, 2001.

Mr Bob Wood (London West): So moved.

The Chair: Discussion? This is where we'll have an explanation. We have a number of people coming before the committee whom we would like to schedule in a rational way. It may require the committee's starting slightly earlier. I know how eager members are to be here bright and early anyway to deal with these matters. I'll ask our clerk to describe our circumstances for you and ask for your assistance in the scheduling.

Clerk of the Committee (Ms Donna Bryce): On the April 12 certificate there were 12 selections. Now that the House is back and we're into our regular committee meetings, we really can't accommodate them all at one meeting. We have five who are scheduled for May 2, starting at 9:30. Following May 2, the deadline to schedule the remainder of them expires as of May 6. So what would be required is unanimous consent to extend the deadline for certain ones, and I can go through which ones that would be required for. We do have five who are available for May 9. We would need unanimous consent for those. There are two for whom we don't yet have contact information, so we don't know when we can schedule them. But you can give unanimous consent to schedule them, if we can get them, for the May 16 or the May 30 meeting. I can go through the names, or you can just go with unanimous consent for that.

Mr Wood: I'd like to hear the names.

Clerk of the Committee: For May 2 we have Margaret Andrewes, Early Years, Niagara.

Mr Wood: I want to know the names for whom unanimous consent is going to be asked.

Clerk of the Committee: For May 9 we would require unanimous consent for John Lacey, Liquor Control Board; Lynda Schreiber, Early Years, Halton; David Houlahan, Early Years, Leeds, Grenville and Lanark; Donna Treleaven, Early Years, Oxford; and Robert Anderson, Meaford Thornbury Police Services Board.

The two remaining ones we haven't contacted yet are Scott Post, Early Years, Chatham-Kent, and John Arnott, Early Years, Leeds, Grenville and Lanark.

Mr Wood: I would ask unanimous consent of the committee to extend by 30 days the date for consideration of those intended appointments.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried. Thank you, Mr Wood.

We now have the report of the subcommittee on committee business dated Thursday, April 19, 2001.

Mr Wood: I move its adoption.

The Chair: Any discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MARIO CORTELLUCCI

Review of intended appointment, selected by the official opposition party and the third party: Mario Cortellucci, intended appointee as member, McMichael Canadian Art Collection Board of Trustees.

The Chair: We have one appointment review today. This is a selection of the official opposition and the third party, and it is an intended appointee as member of the McMichael Canadian Art Collection Board of Trustees, Mario Cortellucci.

Mr Cortellucci, you may come forward, please. As you may have been informed, you have an opportunity at the beginning to make an opening statement. Any remarks you'd like to share with members of the committee, we'd be pleased to hear from you. Subsequent to that there will be questions from members of the committee. Ten minutes is assigned for each of the political parties.

Mr Mario Cortellucci: Good morning, Mr Chair, and thank you.

I would like to take a couple of minutes to tell you why I would like to serve as a trustee on the board of the McMichael Canadian Art Collection. I'm going to go through some of my notes so I won't skip anything.

I was born in Villa Cortellucci, Teramo, Italy. I emigrated to Canada with my family in 1962. I was educated in Toronto. I co-founded my first company with my brother Nick in 1971. The company is still operating today.

I have also been active in many organizations including the Knights of Malta, Associazione Polizia di Stato, the York Regional Police board and the Canadian International Police Association. I co-founded the Downsview Soccer Club in 1969, which went on to win the Canadian championship for five consecutive years.

The Chair: Great record.

Mr Cortellucci: It's the only record.

I have participated in charity events for the United Way, York Regional Hospital and the Muki Baum Association, and have co-chaired the annual Heart to Heart Ball in aid of the Hospital for Sick Children in Toronto.

Why art? At the age of eight, I saw for the first time St Peter's and the work of Michelangelo. I became interested on the spot, and today I have an international collection which includes many Canadian artists. I founded Corfer Productions, which published *Passage to Canada*, on the work of Maestro Joseph Cusimano, who is an international metaphysical surrealist artist. Recently I sponsored the second edition of *Wind, Water, Rock and Sky, the Story of Cognashene, Georgian Bay*, published by the Cognashene Book Corp.

I have had many opportunities to visit the McMichael Gallery with my family and I can say I hold the collection in high regard. I was very pleased to offer to serve when artist George McLean suggested that my name be put forward for the trustee appointment.

I hope that the committee will support my nomination to this important position.

I thank you and the committee. If you have any questions, please ask.

The Chair: Thank you very much, sir, for your initial remarks. I'll start on my left with the official opposition, followed by the third party, followed by the government members, in asking questions. As I indicated, each of them has 10 minutes, and you're free to give whatever answer you deem appropriate. So I'll begin with the official opposition.

Mr Bruce Crozier (Essex): Good morning. Welcome to the committee.

If you're familiar with the McMichael collection, the McMichael board, the operation of the McMichael gallery, you would know there is a considerable concern about the divestiture of some of the art that's held by the gallery at the present time. In fact, there is legislation, there is a legal obligation of the board of trustees to divest the gallery of perhaps thousands of works, but there aren't, in our view, any clear guidelines. How

would you approach the responsibility that you would have in the divestiture issue?

Mr Cortellucci: If I'm appointed I would be the rookie, so I would have to study the situation a little bit in detail. What I know today is minimal compared to what I should know when I will be there to really look at it and see what I could do.

Art is art. An individual might look at a painting and he would love it. Another might say, "Oh, I don't like it." Art has room everywhere. Art is an asset, so I'm pretty sure that when I learn more about the details of what is going on, I would probably give my opinion in a better way.

Mr Crozier: In your own interests, in what we can see by the background you've given, you certainly have an interest in the arts. I don't envy you the responsibility you would have in the case of these divestitures, because it goes, in our view, again, beyond perhaps even the art itself. It goes to how the gallery received the art. In some cases there are even—we always seem to have to get to this somehow—some tax implications. So if you're appointed to the board, and I have no doubt that you will be, you'll have an onerous task.

1020

You mentioned an artist's name in your introduction—Joseph?

Mr Cortellucci: Joseph Cusimano. He's a Canadian artist.

Mr Crozier: It was Mr Cusimano who recommended you for this?

Mr Cortellucci: No. It was George McLean.

Mr Crozier: Who is he?

Mr Cortellucci: He is a Canadian artist.

Mr Crozier: I'm sorry. That's the name I was looking at, George McLean. Is Mr McLean a friend of yours?

Mr Cortellucci: Yes.

Mr Crozier: Do you know how it was he knew that there was an opportunity for someone to be appointed to the board?

Mr Cortellucci: He is a member of the—

Mr Crozier: He is a member of the board so he certainly would be aware of that. That's good.

Do you know Blake Wallace?

Mr Cortellucci: Yes.

Mr Crozier: Did you speak to Mr Wallace about this appointment?

Mr Cortellucci: No.

Mr Crozier: It's kind of strange. Mr Wallace was going to be, we thought, appointed to the board but apparently is not now. Do you know why his name was withdrawn?

Mr Cortellucci: I don't know.

Mr Crozier: No idea. OK. I have no further questions.

The Chair: Mr Lalonde, do you have any questions?

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): The only question I have at this point is, in your past experience were you ever involved in political involvement?

Mr Cortellucci: Yes.

Mr Lalonde: You also said you were a co-founder, with your brother—what is the name of the company you operate with your brother?

Mr Cortellucci: Cortelli Construction.

Mr Lalonde: I don't know, Mr Chair, if I'm authorized to ask this question. Are you a cardholder of any party?

Mr Cortellucci: No.

Mr Lalonde: Thank you. That's all I have, Mr Chair.

The Chair: I should tell you, sir, whenever we're in opposition, the opposition people always tend to ask that question, so it's nothing new. The government members know that. It's interesting, when the government members were over on this side, they used to ask that question too. They don't ask that question now, for some reason.

Mr Martin of the third party.

Mr Tony Martin (Sault Ste Marie): I'd just follow up on that, because we always want a little parity where that's concerned, in terms of appointments at this table. I note in your curriculum vitae that you've been active in municipal, provincial and federal elections. For any one particular party, or have you supported members of every party?

Mr Cortellucci: I have supported all members.

Mr Martin: That's an interesting history. I don't think there is anybody around this table who doesn't appreciate that it's important to have people involved in politics. It's a very worthwhile endeavour and contributes in a very serious and significant way to the development of the public life of the province, and we should all give some time.

This appointment, though, to the McMichael art gallery board: I note your keen interest in art and experience in art. There is certainly some question at the moment, particularly with the passing of Bill 112 and the reappointment of the McMichaels to the board and the changed mandate, that there may be a narrowing of the kind of art that would wind up in that collection. I would hope that you have given that some thought in terms of your participation on that board. What is your perspective on what should be in that collection and what shouldn't?

Mr Cortellucci: It's hard for me to say as of now, but I believe Canadian art—the name itself, McMichael Canadian Art Collection, states the future.

Mr Martin: "Canadian art"—there are a lot of Canadian artists out there. The criticism by some was that we were moving away from the very Group of Seven-type, nature-oriented art into other forms and types of art.

I note here that your appreciation of art extends to—what's noted here—the "internationally known metaphysical surrealist artist Joseph Cusimano." There are Canadian surrealist artists. If that kind of art was presented, would that be acceptable, in your view, in the McMichael collection?

Mr Cortellucci: I believe the board would make a decision on that. It would not be only up to an individual.

Mr Martin: What would your position be, though?

Mr Cortellucci: I would have to see the art itself, what is really presented, because metaphysical surrealism depends on what's in front of you, and I think a decision would be made at that time.

Mr Martin: There's also the other question of this gallery having collected, over the years, a number of very fine pieces of art from various and sundry artists and the disposition of those art pieces. Do you have any thoughts on how that might be done or if it should be done?

Mr Cortellucci: I could not answer until I really see what's there. Again, a committee, a board will make a decision together, like a decision is made together here, to see what to do with the existing art.

Mr Martin: Did you understand the real nervousness around this in the art community out there? There were a number of very significant people in the arts in Ontario who were very concerned about the passage of Bill 112 and the reappointment of the McMichaels to the board in the way it happened, that in fact we will narrow the scope and the opportunity?

There aren't that many art galleries of the stature of the McMichael out there for our Canadian artists to get exposure. Do you understand the nervousness, the anxiety that might be in the art community around this question and perhaps the appointment of members who will make decisions about their life's work?

Mr Cortellucci: Yes, I would recognize that there's nervousness, but I believe that a good committee, a good board will make the right decision for everybody. It won't be a decision for an individual; it will be a decision for the total of artistic Ontarians and Canadians.

Mr Martin: The question of financing and funding: at one time this collection was 100% funded by the provincial government under Premier Bill Davis. Now there's a big push to make it more independently financed. What's your feeling there? Will that in itself limit the opportunity that's there to expose and give Canadian artists a chance to have their works looked at and appreciated and perhaps, in the end, purchased?

Mr Cortellucci: I believe that once you involve the community, the private sector, the message of artists is more out there. When it's financed by one source, that kind of limits it; the word is not spread. You can advertise all you want, but word of mouth through people who participate in fundraising, for whatever the case, will probably open more doors for Canadian artists to be seen by the masses.

Mr Martin: There will be those who say that leaving it simply to the commercial value of the art in that way will leave out a whole lot of people who otherwise might have got their foot in the door and been able to develop their art further. I'm sure there are lots of artists out there who in their early years, because there was no interest by some sponsoring corporation or business, depended on the little bit they would get from other sources—the volunteer sector or government. Had they not had that, they would not have been able to develop to their potential. The fear here is that with the move to the new

rules and regulations under Bill 112 and the rejigging of the board, the scope and opportunity will be very narrow.

Mr Cortellucci: Again, I believe that art has to be sold to the masses. The McMichael gallery has to be shown to people in order to have revenue. I go back to when I was little. I was exposed to art at a very early age, and I started collecting art at 15 years of age—mind you, a little bit of money. I think we should expose all Canadians to our artists from anywhere in Canada.

1030

Mr Martin: Do you know the McMichaels at all.

Mr Cortellucci: A little bit, yes.

Mr Martin: Do you have any concern that their view of what that collection should be will inhibit its potential?

Mr Cortellucci: No, I don't, but I am very grateful to them for, in 1965, making such a donation to the Canadian people. I'm grateful to them, and I wish there were more people like them in Canada doing what they have done for Canada.

Mr Martin: But do you understand that they were well paid for that donation over the years?

Mr Cortellucci: I don't know their finances, I don't know the details, but what I see is what they left up there.

Mr Martin: OK. Thank you very much.

The Chair: Thank you very much for your questions. Members of the government party.

Mr Bert Johnson (Perth-Middlesex): It isn't so much a question as a bit of a statement, a little bit of advertising for my riding and a little bit of history.

Mr Cortellucci, I represent the whole of the county of Perth and about a third of Middlesex. In the south end of Perth county is a town of about 6,000 called St Marys. The reason I'm mentioning this is that I didn't know this history until I started to represent that area. St Marys, Ontario, is known as Stonetown. It's known as that because not only is it the home of St Marys Cement, which is part of Blue Circle now, but a lot of the buildings in St Marys—the old opera house, the town hall, the library and most of the storefronts—are made of stone. Of course they had their own quarries, which later became cement quarries.

Your forefathers from Italy helped to create this town in the late 1800s and early 1900s. As a matter of fact, I have a history book released by the museum there a few years ago. I'd like to send you a copy, just because of the contribution of the Italian community to my part of the province. Also, St Marys, as you may know, is the home to the Canadian Baseball Hall of Fame.

I respect your appointment to this important board because you bring not only a keen interest in the arts but your business background. My family background: my dad was in business but he's also a farmer. In a lot of societies around the world he'd be called a peasant. If I'm referred to as that, I take that as a compliment because we made our living and our earnings from the land.

But I wanted to tell you that art is in the eye of the beholder. I have my own very unsophisticated eye of art, but I respect the eye you bring to this important position.

From what I've heard of you this morning, I'm very pleased to support your appointment.

The Chair: Any other members of the government caucus who wish to speak?

Mr Wood: We'll waive the balance of our time.

The Chair: You're going to waive the balance of your time? Thank you for informing me of that.

Thank you very much, sir, for appearing before the committee this morning. You are free to leave the particular seat you're in now. The committee will now consider your appointment and make its decision and you'll be appropriately notified, sir. Thank you for being with us.

Mr Cortellucci: Thank you very much.

The Chair: I will entertain a motion.

Mr Wood: I move concurrence re Mr Cortellucci.

The Chair: The concurrence has been moved. Any comment?

Mr Martin: I won't be supporting concurrence. I get disappointed sometimes when people come before us who aren't willing to be open and honest about their political connections. In this instance, even though I still don't know what political party this gentleman supported, I have my hunches. It would have been more forthright of him to have simply put it on the table. We've had people come before us here who have been very forthright, no difficulty, no problem, have put it on the table and then we all know. In this instance I still don't know, and would like to have known.

In his resumé he references his long involvement in municipal, provincial and federal politics. Well, at least in the provincial and the federal you normally have to be aligned. It would have been interesting to know his alignment, in that we see this government, over and over as we come to this table to look at appointments, appointing one loyal Conservative supporter after another to almost every board, commission and agency in this province, and I don't think that's healthy. I think you need a good balance, a good mix of different kinds of people from different walks of life, from different political persuasions.

It's hard to make an appropriate and proper judgment when you don't know these things. So my hunch—even though the gentleman being proposed certainly has, by way of his resumé and his presentation this morning, some keen interest in art and some involvement in and understanding of art, I just wish he would have been more forthcoming in terms of where he's coming from and his political affiliation and connection. So I won't be supporting the appointment.

The Chair: Any other comments on the intended appointee? If there are no further comments—

Mr Wood: A recorded vote, please, Mr Chair.

The Chair: So that all members of the committee are aware, a recorded vote has been requested.

Ayes

Barrett, Crozier, Johnson, Kells, Lalonde, Wood.

Nays

Martin.

The Chair: The motion is carried.

Before we adjourn, I should mention for Hansard that we have had with us at the back two students from St Catharines, Jonathan Lau and Erik Holody, from St Francis Secondary School. They are here as part of their studies to follow the local member of Parliament and see just what it is the local Member of Parliament does.

Interjections.

The Chair: They'll see the reverence in which the Chair of this committee is held.

We certainly welcome them to the committee.

I'll entertain a motion for adjournment until May 2 at 9:30 am.

Mr Wood: So moved.

The Chair: All in favour? Opposed? The motion is carried. The committee is adjourned.

The committee adjourned at 1038.

CONTENTS

Wednesday 25 April 2001

Subcommittee reports	A-1
Intended appointments	A-1
Mr Mario Cortellucci	A-1

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Toby Barrett (Haldimand-Norfolk-Brant PC)

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell L)

Clerk / Greffière

Ms Donna Bryce

Staff / Personnel

Mr David Pond, research officer, Research and Information Services

2 ON
19
52



A-2

A-2

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 2 May 2001

Journal des débats (Hansard)

Mercredi 2 mai 2001

**Standing committee on
government agencies**

Subcommittee report
Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapport du sous-comité
Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 2 May 2001

Mercredi 2 mai 2001

The committee met at 0936 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I will now begin the committee for Hansard purposes.

The first thing I have is the report of the subcommittee on committee business dated Thursday, April 26, 2001.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood moves its adoption. Any discussion? All in favour? Opposed? The motion is carried.

I have a second item that I would like to raise with you. Catherine Dennahower is unable to be with us this morning because she will be attending a funeral. I'm going to ask for unanimous consent to schedule her on May 16. That is granted? The committee has agreed to that. Thank you very much.

We'll begin our appointments review.

INTENDED APPOINTMENTS

BRAD BUTT

Review of intended appointment, selected by official opposition party: Brad Butt, intended appointee as chair, Early Years Steering Committee, Peel Regional Health Unit.

The Chair: The first individual we will call forward is Brad Butt. He's an intended appointee as chair of the Early Years Steering Committee of the Peel Regional Health Unit.

Welcome to the committee, Mr Butt. As you probably know, you have an opportunity to make an initial statement should you wish to do so, and subsequent to that each of the three political parties is entitled to up to 10 minutes of questions.

Mr Brad Butt: Good morning, Mr Chairman and members of the committee. Thank you for inviting me today to introduce myself to you and to talk about the new early years steering committees being established across the province by the children's secretariat and local health units.

My name is Brad Butt and I am a lifelong resident of Mississauga in the region of Peel. Presently I serve as the executive director of the Greater Toronto Apartment Association and have been actively involved in the property management sector for more than a decade. I have a reputation in Peel region for being an active

volunteer. I would like to share with you some of the organizations with which I have been proud to work.

I was the founding chair of the Mississauga Crime Prevention Association. I was the six-year chair of the Counter-Act Vandalism Prevention Committee, a three-year director of the Mississauga Arts Council, a three-year trustee on the Mississauga Public Library Board, and general chair of Applewood United Church, and I've been a 10-year producer and host of Conflicting Interests on Rogers community television in Peel. As well, I am presently serving as the co-chair of Mayor Hazel McCallion's citizens' task force on the future governance of Mississauga in relation to Mississauga's role in the greater Toronto area. It has been a pleasure to volunteer in these many capacities with a goal of improving our community.

A few months ago, I read the advertisement in the Toronto Star that the children's secretariat was looking for volunteers to serve on the early years steering committees. After calling staff, I applied to serve. I'm honoured to be considered for appointment not only to the committee, but also as the chair in the region of Peel.

Eighteen months ago, my life dramatically changed for the better. My wife, Rhonda, and I witnessed the birth of our first child, Sarah Margaret, and we have been adapting to life with a young child. Our daughter is very fortunate to have a strong, supportive family, and she will have access to many wonderful things through her childhood. Watching my daughter every day and seeing how even the little things interest and excite her is the real reason why I'm here today.

I want to see communities able to work with families and children to design programs and services that meet local needs and ensure that we are adequately investing in these children's future. I would like to be part of putting into action many of the great ideas of scholars and government as they affect the early years.

0940

I was very fortunate to have grown up in a supportive and encouraging family. My mother still teaches grades 1 and 2 in Mississauga and can attest to the importance of a good start in life.

Members of the committee, I would be pleased to answer any questions directly from you on this appointment and I thank you for your time this morning.

The Chair: Thank you very much. We'll begin with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Butt. I think that's a very important role, to be appointed to the chair of this committee within your community. Because this is a key role, you can appreciate that it would be important for you to have some background in terms of some of the documents and presentations there have been with regard to children's programs and services, both in Ontario and in other jurisdictions. Would you be able to outline for me any of those documents or reference materials you've read that would prepare you for this role?

Mr Butt: I have read the Early Years Study which Dr Mustard and Margaret McCain were involved in writing and reporting to the government. It's very interesting reading and I've learned a lot, there's no doubt about it. I think we've got a lot of various options and opportunities that local communities can look at to endeavour to improve our ability to encourage and foster our youngest children in the preschool years.

I was very pleased with how the package talks about choice and options for communities to look at while responding to some provincial policy statements. I think it's an excellent start and an excellent guide to get us on our way to looking at how in the region of Peel we could be looking at adopting some of these ideas that are Peel-specific.

Mrs Dombrowsky: Are you familiar with the Education Improvement Commission document, the Road Ahead V? That's the report on improving student achievement. Are you familiar with that document?

Mr Butt: I'm not familiar with that specific document.

Mrs Dombrowsky: That was the last document that was written by the Education Improvement Commission and there are recommendations in that document that make reference to programs with children.

Are you familiar with the Campaign 2000 document?

Mr Butt: I'm familiar with Campaign 2000 and what their goals have been. As a matter of fact, on the TV show that I host on Rogers television, I have had representatives from Campaign 2000 appear on that program on their issue of concern about elimination of child poverty. So I am familiar with the program, but I haven't read the entire document.

Mrs Dombrowsky: In your capacity in the area of property management, you probably are aware that there is a significant lack of affordable housing for families with children.

Mr Butt: Yes, I am aware of that.

Mrs Dombrowsky: You've indicated in your remarks that you are interested, in your role as chair of this committee, in exploring programs and services for children in your community. Could you tell us about your idea of what some of those programs and services might be? These will be new programs and new services that are not in place. Could you perhaps outline some that you would be considering?

Mr Butt: One of the important roles that I think the committee is going to have when we first meet is to be briefed on what are the programs and services that are being offered on a wide scale across the region of Peel, how those programs can be enhanced, and if they can't be, what new programs and services we need to look at. I don't have any specific ideas at this stage as to programs and services that the region is not delivering or the province is not delivering through the region or the local municipality that we could be looking at.

I think the reason this process has begun, as I understand it, is that we're going to have people around the table who represent a wide variety of backgrounds, some of whom will probably be people who are working directly with young children on a day-to-day basis. I'm looking forward to them bringing their ideas forward. I think one of the roles of being chair is not to come to the table with preconceived notions over things. I think the important role of the chair is to facilitate healthy discussion and encourage the committee members to bring forward ideas.

Mrs Dombrowsky: You can appreciate, though, my question is so that I might understand exactly what your appreciation is for what programs would be of value for families and children in your community that may not be there already, so could you give me an example? You may find in your participation on the committee that in fact they are up and running, but could you maybe give me just a few examples of programs that you think are very important for young children and families to access in the early years?

Mr Butt: One of the things I know the region of Peel has not been particularly aggressive at doing—and it may be because the need isn't there, but I'm not 100% sure—would obviously be breakfast programs. I'm certainly familiar that breakfast programs are extremely active in the city of Toronto, but I don't think they have been as active in the region of Peel. I'm not 100% sure whether there is an increased need year after year for enhancing those kinds of programs. There is the Peel lunch and after-school program, but I don't believe there are very many schools that are offering breakfast programs in various parts of the region of Peel at this stage. That might very well be one of those programs worth looking at expanding, improving or introducing if the region is not presently doing it on a wide-scale basis.

Mrs Dombrowsky: Are you familiar with family parenting centres?

Mr Butt: Not formally, no.

Mrs Dombrowsky: Do you have an opinion on regulated daycare?

Mr Butt: My child is in daycare.

Mrs Dombrowsky: Regulated?

Mr Butt: Yes, regulated, licensed by the province of Ontario. I'm a very big supporter of families who choose to put their children into child care, having that opportunity to do it. I think we have to look at the options. I don't think you can lump all families into one category and say it's right for everybody, but certainly

for my wife and I, it has benefited us because we are both working outside the home, and second, we found that our young child has flourished in child care. It has been a very good experience for her.

I'm a supporter of child care. I'm not sure I'm a supporter of an overall, publicly funded, across-the-board, every-child-goes-to-child-care concept, because families need to have choice, but I think government and local services need to be supportive of that choice.

Mrs Dombrowsky: Are you aware of the waiting lists for people in your community who would want to access regulated daycare but are not able to?

Mr Butt: Yes, it's substantial. There's no question.

Mrs Dombrowsky: It's significant, isn't it?

Mr Butt: It's significant, there's no question about it.

Mrs Dombrowsky: Then, there's another whole sector of people who would love to be able to access regulated daycare but cannot afford it. Are you familiar with any daycare programs or initiatives in other jurisdictions that offer more broad access to a regulated daycare system?

Mr Butt: When we were investigating around for an appropriate spot for our daughter, we did look at various places, some of which were perhaps a little bit more structured than others. We did look at—I think the program is known as Wee Watch, where there are X number of children in somebody's home, as an option. We decided that wasn't a program that we wanted, but we investigated it. We looked at programs that are in public buildings, in schools. The one that our daughter happens to be in is in a church.

There's no doubt that there is a need to look at options around child care for families. It is probably true that there needs to be more done to help families who can't afford to put their children into child care. That's something the committee should be seriously addressing.

Mr Tony Martin (Sault Ste Marie): Thanks for coming before us this morning, Mr Butt. My concern in all of this is that we are moving ahead on some initiatives without, first of all, dealing with some of the more fundamental challenges facing families and children in the province today. I just want your view on the issue of what the fundamentals are in terms of families and children that need to be in place before we even get into the consideration of, as was mentioned earlier here in the interview, expanding breakfast programs or even looking at the question of daycare, and that's the question of proper housing and the ability of families to feed their children at home.

This government, in one of its very first initiatives, reduced the income of some of our lowest-paid families by almost 22%. If you add inflation into that, we're looking at a reduction in income of over 30% to a large number of families in the province. What's your view re that, the ability of families to feed themselves and their children, and how should that happen?

0950

Mr Butt: I'm not sure it's the role of the early years steering committee to either be an advocate for or

perhaps be offering political commentary on government policy. You may not agree with that policy; the present government does.

I think the role of our committee is to look at the issues that affect the region of Peel, and that's why I'm saying we need to look into and do our research on whether or not there is a problem relative to children going to school hungry, whether there is an increasing problem relative to affordable housing options in the region of Peel. If those are issues that are of concern, I think it's incumbent upon our committee to pass resolutions and forward them to the government, to suggest to them that in our view they take some action. But I'm not sure that it's the role of our committee or of me as chair to comment on political decisions that are made by the government of the day.

Mr Martin: Would it be your view that it is important that families be able to feed themselves adequately at home?

Mr Butt: Yes, I think that's an important principle.

Mr Martin: In fact, if you found out that there were a significant number of families in your jurisdiction that weren't able to feed themselves at home, would your recommendation personally be to set up more breakfast programs or to make sure that the families themselves had the money they needed to feed themselves at home?

Mr Butt: It could very well be either of those options or a combination of both. I can't answer that today because I don't have the stats and I don't have the information. I'm assuming the role of staff and our researchers and our community coordinator will be that when we request that kind of information—why aren't people able to feed their children at home? what are the patterns? what are the reasons for that?—if it comes out of it that there are government policy decisions that are making that situation the way it is in the region, then I do think it's the job of our committee to inform the ministry that we think there need to be policy changes.

Mr Martin: You said earlier that you read the Campaign 2000—

Mr Butt: I'm familiar with it; I can't say I've read the entire document.

Mr Martin: They are very clear in their direction that it's important that families have the wherewithal to feed themselves and their children at home and not have to depend on the largesse of the community around them to set up breakfast programs, although they come about in the end in some instances because we as a community don't have the political will to make sure that every family has what they need.

Just one last thing. I'd be interested in your view on an initiative of both the federal and provincial governments, actually, where children and poverty is concerned, because poverty underlines a whole lot of things, the potential for children and families to actually move ahead and participate and take part in the overall life of a community. There was a program put in place called the child tax benefit supplement, which was designed to give our lowest-income families on average between \$80 and

\$100 per month per child. That money is being held back from any family either wholly dependent on Ontario Works or partially dependent on Ontario Works or on the Ontarians with disabilities support program. What would be your view on that initiative, going into this work and being given an opportunity to perhaps make some comment?

Mr Butt: It may very well be that after reviewing all the research documents and all the facts on that issue, our particular committee recommends that that kind of supplement be reinstated. I'm trying to be clear, but I'm not sure that I can specifically say, because I'm one of a 10-member committee, that the answer is to reinstate that supplement. I don't know if I can honestly say that today, because I haven't seen the research documents that would indicate whether or not families are not being treated fairly and appropriately through a supplement that their family needs. If they're not, then I think we will be recommending that the government change its policy.

Mr Martin: I was at a press conference last Thursday morning by the Toronto chapter of Campaign 2000 that said that one in three children in Toronto live in poverty. There are groups out there, particularly municipal councils, who have responsibility in the area of child care right now and have been given more by this government. What they're saying is that they need money. They need resources if they are going to tackle that very disturbing statistic.

Mr Butt: Right.

Mr Martin: They're suggesting that what the government is setting up, by way of the committee that you're now going to chair, is simply an exercise in smoke and mirrors to deflect or reflect some of the real issues that are out there, and that there are already organizations set up to do that which are simply starving to death because they don't have the resources and they're becoming more and more frustrated in their attempts to get that job done. What would your response be to that?

Mr Butt: Well, I certainly can't speak about the Toronto-specific scenario, because of course I'm being appointed as the chair of the region of Peel task force and we'll be looking at region of Peel issues. There may be some crossover, but we certainly would be looking at the region of Peel.

Again, as I say, I think with the members of the committee around the table, and with me encouraging them, if we believe there need to be changes in the way government is dealing with social services that affect young children, young families, if we think there needs to be an increase in funding or supplements, I can assure you that our committee will make those recommendations to the government.

I don't think any committee is smoke and mirrors. This process may not be perfect, but I give the government credit for at least saying we're going to go out to the communities, we're going to set up these 37 steering committees across the province and we're going to make a commitment to listen to what these committees have to say. I take the government at their word that they

are going to listen attentively to the recommendations that our committees make, and I trust that they will. They may not agree with us, but I think we're going to do the best we can to propose reasonable solutions that meet the goals of the early years program.

Mr Martin: So even though this government hasn't listened very effectively to any of the groups that they've commissioned and sent out so far in this area—if you talk to the school boards, who have some significant responsibility in this area, they'll tell you. I met with my own school board, the separate school board, in the Soo a couple of weeks ago, and from the people who come into my office and the advocacy that we do on behalf of families, they just don't have the resources to deal with some of the special education needs of children, never mind getting into looking at the possibility of early childhood programs attached to schools, which a lot of the experts have suggested might be the better way to go.

When you have a government that isn't listening to an organization such as Campaign 2000, which is speaking of the very dire straits of some of our poorest families, and the fact that all kinds of housing advocacy groups out there are saying, for example, that there hasn't been a not-for-profit housing unit start in this province since 1995, what gives you the confidence that they are going to listen to you? You're a very busy guy. I'm actually quite impressed with your list of involvements, and I say that seriously. Why you would want to commit the kind of time that's going to be required to chair this committee, understanding that at the end of the day if you come out with recommendations that don't fit with the direction the government is moving, which has been for the most part very punitive, to move everything over to the private sector and to take money out—why do you think that you will be effective or successful, after the experience of all these others?

1000

Mr Butt: I think there have been committees and commissions over many years, under all three political parties when they were government, that worked hard and brought forward recommendations and they were ignored. So I think there's probably blood on everybody's hands when it comes down to work that commissions and other organizations do and submit to the government their briefs and requests for change.

I believe there's no doubt that our committee will be disappointed from time to time that some of our recommendations are not being listened to. But this government did decide to set up a children's secretariat and appoint a minister for that responsibility; that was certainly a step forward. I think they're trying to take children's issues seriously, but I don't think there's any question about the fact that there will be times when we will be disappointed, that recommendations will be made and the government will ignore them. But we're going to do our homework. We're going to make sure, when we present something to the government, that it's got teeth, that there is meat on the bones, and hopefully the government will respond in an appropriate way.

Mr Martin: Do you have any political affiliation?

The Chair: I'm sorry, Mr Martin, that concludes your time.

Mr Martin: I was asking your favourite question.

The Chair: I have to ask permission of the government caucus if you can have a moment to ask a further question. "No," says Mr Wood; therefore, we will not have that.

The government caucus?

Mr Wood: We will waive our time.

The Chair: Thank you very much, Mr Butt, for appearing before the committee.

RICK CHAMPAGNE

Review of intended appointment, selected by official opposition party: Rick Champagne, intended appointee as member, North Bay and District Health Unit.

The Chair: The next individual to come before our committee is Richard Champagne, intended appointee as member, North Bay and District Health Unit. Mr Champagne, as you know, you have an opportunity to make an initial statement to the committee and then each of the three parties represented on the committee has an opportunity to ask questions for 10 minutes. Welcome to the committee.

Mr Rick Champagne: Thank you for the opportunity of meeting with you today to introduce myself and to indicate my desire to serve as a provincial appointee on the North Bay and District Health Unit.

My name is Rick Champagne, and I am presently deputy reeve of the township of East Ferris. I have been involved in many different organizations throughout the district of Nipissing over the years, as municipal representative on the North Bay-Mattawa Conservation Authority, director of the South Shore Restoule snowmobile association, director of the Nosbonsing Curling Club and chairman of the East Ferris recreation and arena board. I'm very nervous here, so bear with me.

I am self-employed and owner of a contracting business in the excavation and heavy equipment field. I presently have a staff of 11 employees. I operate this as a family-run business in the hamlet of Corbeil—that's where the Dionne quintuplets were born. I am married with four children and a granddaughter.

I was the municipal representative on the North Bay and District Health Unit during my last term of office, ending December 31, 2000. Due to the rotation system between the outlying eastern municipalities, this seat has been replaced by a representative from the township of Bonfield. The township of East Ferris is the third-largest municipality in the district of Nipissing and would not be represented again until the year 2015.

I worked on many programs being implemented by the health unit and would like the opportunity to further represent the people of this district and as well implement the policies set forth by the provincial government. I also would like to take the opportunity to finalize some of the

programs that were recently started and in which I participated.

Another reason I believe I would be a good candidate for the health board is that of the 10 municipal representatives, seven are presently appointed by the city of North Bay. My appointment to this board would bring the perspective of the outlying areas and provide better representation.

During my term of office on the North Bay and District Health Unit, there was no provincial appointee on this board for the past six years. I feel this representation is important to communicate the future direction of the health policies of the province of Ontario.

I am a proponent of ensuring that all water supplies provide safe drinking water for the consumption of the public and that the area is provided with a smoke-free environment to ensure the health and safety of the public and mainly our younger generation. I also believe that boards such as the health unit must operate within their budgets and that expenditures must be controlled to ensure that taxes are kept to a minimum. The North Bay and District Health Unit must be fiscally responsible and must be able to substantiate all program expenditures.

Should you have any questions, feel free to ask them at this time. I'm not one for big words, so when you get to the answer you'll get it pretty straight.

The Chair: Thank you very much for your initial remarks. We'll begin with the third party.

Mr Martin: I guess the first question all of us are asking these days when there's an appointment that comes out of North Bay is, do you golf with Mr Harris?

Mr Champagne: No, I don't.

Mr Martin: After that, then, from the resumé—

Mr Morley Kells (Etobicoke-Lakeshore): Neither do I.

Mr Champagne: I don't think I'm even in this category.

Mr Martin: You don't, Morley?

Mr Kells: No.

Mr Martin: Maybe that explains the sort of up-and-down history you've had here. Perhaps if you golfed with him a little more—

Mr Kells: I got it.

Mr Champagne: Maybe this appointment should have been done on the golf course.

Mr Martin: Sorry. It says here that you own a construction company.

Mr Champagne: Yes, I do.

Mr Martin: Did you do any work at all on the Osprey Links?

Mr Champagne: No, I did not.

Mr Martin: What about political affiliation?

Mr Champagne: None.

Mr Martin: None whatsoever?

Mr Champagne: No.

Mr Martin: Have you been involved in any of the political campaigns over the last few years?

Mr Champagne: No.

Mr Martin: Not at all? OK.

You're asking for appointment to the district health unit in North Bay. You know that a week or so ago there was a boil-water order in North Bay—

Mr Champagne: Yes, I'm aware of it.

Mr Martin: —applied by the medical officer of health, I guess.

Mr Champagne: Yes, Dr Whiting.

Mr Martin: Are you aware of some of the history and background of the water being taken out of Trout Lake and the fact that there is no treatment plant and some of the recommendations made by the now Environmental Commissioner, Gord Miller, and what would your view be on that whole issue?

Mr Champagne: I guess it has to be done sooner than later. I guess they were trying to put it off because of the money situation, but now they have applied for funding and I think it went from the bottom of the priority list of North Bay. Talking to Dr Whiting yesterday before I came down, it looks like hopefully it will happen within the next few years. Twenty-five million dollars is a lot of money for the city of North Bay, but hopefully between the province, the federal government and the city it will come up fairly shortly. But it has to be done.

Mr Martin: So you're saying that the UV technology that was recommended by Gord Miller is not what North Bay is looking at or needs to take care of this, I would say, significant problem in that area? You would be recommending that we move to a treatment plant operation, as opposed to UV?

Mr Champagne: Like I say, I'm not up on the whole situation, but after talking to Dr Whiting yesterday, she suggested that they get a water treatment plant and that they need a UV treatment plant also. But there are also other problems on the lakeside that should be looked after too, which I see as matters of conservation. There are septic problems and a few other problems on that lake.

Mr Martin: One of the problems, it seems, is there's a lot of activity—a lot of cottages, a lot of commercial activity—on the lake and that's causing part of the difficulty with the water for North Bay.

There's also a difficulty, of course—and this is something that a lot of communities are facing, particularly since the Walkerton tragedy of last year—which is bringing water and sewer systems up to standard and the very significant cost of that. In North Bay, as you said, we're looking at well over \$20 million, and I have information here that says North Bay ranks in the top 10% of municipalities in the province for per-capita debt already in place. Any thoughts on how that might or should or could be funded?

Mr Champagne: I believe it should be funded mostly by the province.

Mr Martin: Any thoughts on some of what is coming out of the province by way of turning water and sewer over to the private sector?

Mr Champagne: No, I'm not up on that.

Mr Martin: Would that be something that, just off the top of your head, you'd be opposed to or in favour of.

1010

Mr Champagne: That's the pros and cons, I guess.

Mr Martin: You'd look at that, eh?

Mr Champagne: Yes.

Mr Martin: Considering the impact and the very definite result, given the boil-water order of last week, on water by a lot of activity on the edge of lakes, do you have any view as to the correctness of the Osprey Links project in the North Bay area?

Mr Champagne: No. I'm not up to par on what's happening to the Osprey Links. That's not even on the same lake. That's not even on the same property. Osprey Links is Nipissing and the other one's Trout Lake.

Mr Martin: Yes. But as a health unit, I'm sure you will from time to time be asked for a view or to give leadership on areas of concern to the larger population and their health and the water that they either drink or swim in. I think that in southern Ontario now we have probably a circumstance that some people a few years ago thought would never occur, which is that we shut down whole beaches for weeks at a time because the bacteria level in the lake is such that it's a threat to anybody who might go in there. It concerns me that that might be the case as we move further and further north—all of the Great Lakes. Right now in my own area of Sault Ste Marie I have no fear whatsoever of putting my kids in the car on a Sunday afternoon and heading out to Lake Superior for a swim. But if we don't pay attention and if health units don't take their responsibility seriously, we may end up with every body of water in our huge province from time to time experiencing those kinds of difficulties.

What would your position be on further development on the sides of lakes where that is concerned?

Mr Champagne: What I meant to say a while ago is that there's a difference between Osprey Links and Trout Lake, because Osprey Links is on their own sewer system, which is a city sewer. So there's no impact, really, on the lake. Trout Lake is totally different. There's water coming in and there are septic systems around it. But as far as the health unit, it should be involved in new development, especially near the water where there are septic systems and they're pulling the water. Of course, it would be the minimum required; not the maximum required, but the minimum required is to make sure that our water is good drinking water and the sewer systems are up to snuff.

Mr Martin: Thank you.

The Chair: Government caucus?

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time. The official opposition.

Mr Bruce Crozier (Essex): Good morning, sir. I appreciate the way you said you like to answer straightforward. We like that as well.

Just to recap, you have been on the health council. Were you a municipal appointee at that time?

Mr Champagne: Yes, I was.

Mr Crozier: And now you're the provincial appointee, which you said hadn't been made for six years.

Mr Champagne: Six years now.

Mr Crozier: Had the members of the health council asked for an appointment and just not received one?

Mr Champagne: Yes, that's correct. I asked for one, actually, when I came on board three years ago, and I believe Dr Whiting put an application in and none was filled. There are two vacant seats and they haven't been filled for two years.

Mr Crozier: Well, that's interesting. Did you receive any reason for it?

Mr Champagne: No. I haven't.

Mr Crozier: OK.

Mr Champagne: Hopefully that's why I'm here.

Mr Crozier: I want to touch just a bit on the financing of health councils, because obviously the health council's effectiveness to some degree is governed by the financing of it. You're familiar, I'm sure, having been there with the financing of the health council—do you receive an adequate amount of financing from the municipal government or governments in the area in order to carry out the legislated responsibilities of the health council?

Mr Champagne: The problem I guess I have with the health unit is—you've got your pros and cons, like I said, but we're 65% to fill in what we want, but the problem is that our administration costs are short. So that's why we're after the province for the administration costs, because I think we've downloaded enough on the municipalities that we've paid our share, so we're coming after the province for our share.

Mr Crozier: In the past few years that you've been on the health unit, and I'll correct myself in reference to the body you're being appointed to, has the provincial government supported your health unit in any way, financially?

Mr Champagne: Financially, yes. Whenever we've asked, we've pretty well got it. But we've always asked for a little bit more. We always like to say, "I'd like a wish list," and we start at the top and we just start making our way down. That's the way I work it, even through municipal council.

You start at the top of the list and you make your way down, and whenever you've got the budget, you at least have a little bit of money left over. But the health unit needs a little bit more money and we're applying for it and that's why I want to stay on. I've worked hard toward this and I'm very hard-nosed when it comes to the financial part. I always want the answers because I don't always understand right away. It takes a while to get through my mind what the proper procedures are. By then, we usually get what we want.

Mr Crozier: OK. Thank you, I think that's enough for mine.

Mrs Dombrowsky: Good morning, Mr Champagne. With regard to initiatives by local health units, is the health unit in North Bay actively involved in promoting smoke-free environments within the community?

Mr Champagne: Yes it is. In fact, we've worked with the schools and now we can go into the schools and actually initiate a change. We weren't allowed to before, but our children are the most important thing. We've got to get to the children first, so we worked our way up. For a while we couldn't get into the schools to get the programs across. Now the schools are working with us, with Jim Stone, who is spearheading this situation. It's been very good, especially in the last two years, which you like to see.

Mrs Dombrowsky: I'm really happy to hear that, because I agree with you. I think that's a very important place to begin to educate people about the hazards of smoking.

I have had meetings with representatives from my local health unit about their concern with trends in this province with the fact. Were you aware that Ontario is the one jurisdiction I believe in North America that has the lowest amount of tax on cigarette products?

Mr Champagne: No, I wasn't aware of that.

Mrs Dombrowsky: This information came to me from my local health unit, so I was going to inquire of you if you were familiar with or aware of it. Or perhaps now I can ask, would you be prepared to advocate to the government that there should be more aggressive ventures in this particular area, that they should possibly consider increasing the taxes on cigarette products as a deterrent?

Mr Champagne: I'm sure that would be. That was my deterrent when I quit smoking nine years ago, when they got so expensive. That was enough for me. If it happens again, I'm sure it will happen.

If you make a cigarette too expensive, I'm sure children can't afford it and the parents won't be able to afford it. The problem will never go away but it will be minimized.

Mrs Dombrowsky: One more point on that: with regard to a smoke-free environment, are there municipalities or communities within the jurisdiction of your health unit that are entirely smoke-free, where smoking is prohibited in all public places?

Mr Champagne: Yes. It started, and West Nipissing has pushed the issue now. They went smokeless and I'm sure it's going to happen in North Bay shortly. We're looking at our municipality too. It's a Catch-22. We have a lot of fundraising and a lot of people say they won't go if there's smoking. Now, believe it or not, even most of the Tim Hortons coffee shops in North Bay are smoke-free. I think they've found in the last year that business has come back since they made it smoke-free. So they're heading in the right direction.

Mrs Dombrowsky: As a member of the health unit, you do not have a problem promoting or advocating a smoke-free environment?

Mr Champagne: No. Definitely not.

Mrs Dombrowsky: OK. That's all.

The Chair: No further questions from the official opposition. That completes our questioning, sir. Thank you for being with us this morning.

Mr Champagne: Thank you.

JOHN ORT

Review of intended appointment, selected by official opposition party: John Ort, intended appointee as member, Licence Appeal Tribunal.

The Chair: Our next intended appointee is Mr John Ort, intended appointee as member, Licence Appeal Tribunal.

Mr Ort, you may come forward, please. As you know, you have an opportunity to make an initial statement, if you see fit, and then you'll be questioned for up to 10 minutes by each of the political parties represented on the committee. Welcome to the committee, sir.

Mr John Ort: Good morning. My name is John Ort. I appear with respect to an intended appointment as a part-time member of the Licence Appeal Tribunal. My educational background is varied. I obtained a bachelor of science degree from the University of Toronto in 1977; a bachelor of laws degree from York University followed in 1980. In 1982, I was called to the bar of Ontario; in 1984, I was admitted to the bar of New York. For about 10 years I practised law in Durham region.

1020

In addition, I achieved a number of designations outside the field of law, passing the engineering training examination in Michigan and becoming a certified public accountant in Washington state. This year, I also completed all academic requirements of the certified general accountant program in Ontario. I gained a master of business administration degree in 1985.

Given my wide academic background, my experience in the law, my lack of other commitments and my ability to learn quickly, I hope to serve the people of Ontario by rapidly acquiring the skills to become an effective member of the Licence Appeal Tribunal, to be part of a team that provides an appeal process that is timely, efficient and just. I look forward to the challenge.

The Chair: We begin our questioning with the governing party.

Mr Wood: Are you currently a member in good standing of the Law Society of Upper Canada?

Mr Ort: I stopped paying the annual fee in 1996, therefore, I'm shown as not having paid that fee. Otherwise there were no problems and I'm in good standing.

Mr Wood: I'm sorry, you are or aren't in good standing?

Mr Ort: I believe—I'm not quite sure how to phrase this properly—that I was suspended for not paying the annual fees.

Mr Wood: Do you have any intention of paying these fees, or what's your plan with respect to the fees?

Mr Ort: I do not plan to practise law in private practice in Ontario again. Therefore, I do not plan to pay the fees from 1996 until now, which I believe would be part of the requirement in order to be in good standing again.

Mr Wood: Do you have any plans to resign from the Law Society of Upper Canada?

Mr Ort: No.

Mr Wood: Those are my questions.

The Chair: Any other questions from the government caucus? If not, we'll move to the official opposition.

Mr Crozier: Good morning, sir, and welcome to the committee. Under your work experience, the last indication of any work experience was 1987 to 1995. So what have you been doing in the way of work, then, in the last five or six years?

Mr Ort: I have not been employed. I spend most of my time studying. I have been unemployed.

Mr Crozier: Without getting too far into this—and I want to be sensitive about it—have you had a private source of income, or a public source of income in that time?

Mr Ort: I still have some savings, private.

Mr Crozier: One other question: you're enrolled in the PACE level at CGA. What is the PACE level?

Mr Ort: I completed that level with an examination in November. It's the last level. In other words, I have completed all the courses that are required to obtain the CGA. I have not completed the employment requirement of two years' employment.

Mr Crozier: But you've written and successfully passed all the exams?

Mr Ort: That's correct.

Mr Crozier: I'll pass to my colleagues.

Mr John Gerretsen (Kingston and the Islands): Just to follow up on Mr Wood's questions, then, it's my understanding that if you don't pay the fees to the Law Society of Upper Canada—I think you mentioned this as well—you in effect are suspended and you're not allowed to practise law currently in the province of Ontario. Is that your understanding as well?

Mr Ort: That's correct.

Mr Gerretsen: So you are right now a suspended member.

Mr Ort: I believe so, yes.

Mr Gerretsen: I'm just curious. You obviously have a tremendous amount of background as far as education is concerned, in business administration, in law and now in the CGA program. Is it your intent to obtain full-time employment in any of these areas? Are you going to become a tax expert or an accountant? What's your intent in that regard?

Mr Ort: I have certainly sent out hundreds of applications for positions in business, yes.

Mr Gerretsen: Did you at any time act for clients who appeared in front of the Licence Appeal Tribunal or its predecessors?

Mr Ort: No, I have not.

Mr Gerretsen: What will the per diem be in serving on this board?

Mr Ort: I'm not quite sure. I was initially quoted \$225 per day, but I see that the intended appointment is for a general member which I understand would be \$175 per day.

Mr Gerretsen: Have you made any inquiries as to how many days per month or per week you will be appointed to this position or what the expectations are as to how many days you will serve in an average month?

Mr Ort: I understand that at most it would be about three days per month.

Mr Gerretsen: What interests you about the Licence Appeal Tribunal in particular?

Mr Ort: The varied subject matter is what I would look forward to.

Mr Gerretsen: You mentioned that individuals who appear before a tribunal should obtain speedy justice, as it were, or have their situation determined in a speedy way. Could you maybe explain that a little bit further?

Mr Ort: Certainly. I understand that it takes up to 30 days for most members to issue a decision after a hearing is completed. Since I have no other commitments, that's obviously an area where I could help out in writing and issuing the decisions within a couple of days.

Mr Gerretsen: Do you have any philosophical reason for making that statement? Where I'm coming from is this: I'm a person who happens to believe that people should be entitled to know where they stand and what happens to their particular situation, whether it's a licence or something else, in a very speedy fashion. I think that, generally speaking, government agencies and bodies over the years—not a shot at this particular government—have always been almost, negligent in that.

When you hear of matters being before the human rights commission for upwards of seven years without a decision, I don't think anyone is served by that, neither the complainant nor the person or individuals who happen to be involved. I just wanted to find out whether your sentiments were somewhat along the same lines; in other words, that individuals whose rights have been dealt with in one particular way or another will be dealt with speedily. Is this a concern of yours?

Mr Ort: Obviously the sooner matters like this are resolved the better. Many people appear before the tribunal with respect to a licence suspension. I mean by that, the source of their livelihood has been suspended and they obviously wait for a decision to find out about their future. In those cases especially, it is very important to speedily provide a decision. I do know from my conversation with other members of the tribunal that, yes, this is something they are very aware of and they are working to improve.

Mr Gerretsen: How many members are there currently on the tribunal.

Mr Ort: I understand there are about 65 members.

Mr Gerretsen: And you've spoken to some of these individuals, what, to get a better understanding as to what the job would be all about?

Mr Ort: I spoke mostly with Mr Kent McClure, the chairman, and he introduced me to a couple of the members who had a break in their hearings.

Mr Gerretsen: Did he encourage you to seek this position?

Mr Ort: Yes. I understand that he does want me to be a member of the tribunal.

Mr Gerretsen: Is it your hope that this appointment will lead to other involvements with either this tribunal or other tribunals or with the public service in general?

Mr Ort: I would certainly welcome that. But I don't think that's something that is likely.

The Chair: There are a few minutes left, if anybody has any further questions.

Mrs Dombrowsky: Good morning, Mr Ort. Do you have a political affiliation?

Mr Ort: No, I do not.

Mrs Dombrowsky: Have you ever had a political affiliation or have you been involved in any political activity?

Mr Ort: No.

Mrs Dombrowsky: How did you become aware of the opportunity to acquire a position on the tribunal?

1030

Mr Ort: I submitted some applications for a number of vacancies in other tribunals, and apparently I did well in the last interview I had with the Social Benefits Tribunal. I'm told that the chairwoman of that tribunal forwarded my resumé and information on to the chairman of the Licence Appeal Tribunal.

Mr Crozier: You said that you had applied for several other vacancies on other tribunals and that you've been interviewed.

Mr Ort: No, I've only been interviewed once, the Social Benefits Tribunal and then for this position at the Licence Appeal Tribunal.

Mr Crozier: So you weren't interviewed for this one.

Mr Ort: Yes, I was interviewed for this one.

Mr Crozier: But you said you'd only been interviewed once—that covered both?

Mr Ort: I'm sorry. I corrected myself. I was interviewed for the Social Benefits Tribunal and I was interviewed for this position.

Mr Crozier: OK. How did you become aware of the vacancies?

Mr Ort: Through advertisements in newspapers.

The Chair: The third party, Mr Martin.

Mr Martin: I don't have a whole lot of questions. I was listening intently to the others. What skills do you feel you bring to this tribunal?

Mr Ort: I understand that they are looking for some background in law, that it's helpful, and I do have some skills that are unusual for a lawyer in terms of the accounting background and the MBA background.

Mr Martin: This tribunal covers a wide spectrum of concern, pulled together by Mr Wood and the Red Tape Commission, as somehow fitting. I'm not sure how they all fit together, but I guess there must be some similarity in that. Is there any particular area that you would be more interested in than another in this spectrum of—

Mr Ort: I tend to like variety. Initially I assume that perhaps the Real Estate and Business Brokers Act or the Ontario New Home Warranties Plan Act matters would

possibly be assigned to me. I really don't know how matters are assigned.

Mr Martin: In the past, for a lot of these tribunals that have been pulled together under the aegis now of the Licence Appeal Tribunal, people with specific expertise and experience and knowledge were asked to oversee and make decisions, as you've already said in one instance. But across the board here we have areas that affect people's lives and livelihood very clearly and directly. Decisions made therefore will have some very serious ramifications for folks. Is there any area in this package that you would feel less than capable of or perhaps even to go so far as to say it might be almost irresponsible for you to actually sit down and adjudicate, having had no particular background or experience in an area?

Mr Ort: I'm certain that there are many such areas, but I understand there is a training program where I would initially sit with more experienced members and obviously would continue to be under some supervision. There would certainly be help available in case I had problems.

The Chair: Thank you very much, Mr Ort, for appearing before the committee.

Mr Gerretsen: Since we do have a few minutes before the next delegate or appointee—and as an outsider to this committee, this is just a question for information more than anything else—I know that the last two governments issued booklets that had every appointment that was made to every commission, with the duties and responsibilities, the per diems and the appointees and when vacancies would become available and things like that. The current government, to the best of my knowledge, over the last six years, has not done that.

I wonder if Mr Wood perhaps, as the lead member on this committee and as the gentleman who chaired the Red Tape Commission that brought all these tribunals together, could give a commitment from the government to issue a booklet once again that would indicate every person who currently sits on these boards, what their responsibilities are, when vacancies become available etc. I think he would be doing both the public out there and the citizens of Ontario a major favour because that information right now is not available.

It is commendable that at least these positions are being advertised from time to time, but in order for people to know exactly what's out there and available for them on an ongoing basis, it would be really helpful if you would go back to the system that was adopted by the previous two governments and, for all I know, the Davis and Robarts governments before that, whereby these—

Mr Bert Johnson (Perth-Middlesex): And Drew did it too.

Mr Gerretsen: Drew did it as well and undoubtedly Leslie Frost as well. Mr Chair, has that been taken up by this committee at all?

The Chair: I think we have the gist of it. Mr Wood, would you have any response?

Mr Wood: I'd certainly like to thank Mr Gerretsen for those very helpful suggestions. What I'm going to ask the

Public Appointments Secretariat to do is to provide him with full information on how these are advertised and communicated now. After he's had a chance to review that, I'm sure he'll have some helpful suggestions that he'll pass along to us.

While I have the floor, I was going to suggest that we might deal with some of the concurrences we've already heard, if we're short—

The Chair: If I can use my discretion as the Chair, what I would suggest instead—

Interjection.

The Chair: This is an interesting conversation and we will discuss this further, but Mrs Andrewes is here.

Mr Wood: I'm sorry. I didn't realize she was here.

The Chair: I thought it would be appropriate for her not to have to wait any longer and to be able to proceed.

Mr Wood: I totally endorse that.

MARGARET ANDREWES

Review of intended appointment, selected by official opposition party: Margaret Andrewes, intended appointee as chair, early years steering committee of the Niagara Regional Area Health Unit.

The Chair: I'll ask Mrs Margaret Andrewes to come forward. She is an intended appointee as chair of the early years steering committee of the Niagara Regional Area Health Unit. Welcome to the committee, Mrs Andrewes. As you know, you're welcome to make an initial statement.

Before you do, as Chair of the committee, and as the Speaker always does, I would like to extend the courtesy of welcoming to our committee Mr Philip Andrewes, who is the former MPP for Lincoln. Welcome to the committee, Mr Andrewes. Phil, as you know, was the member for the area—well, part of it now is Stoney Creek and part of it is Erie-Lincoln. When Mr Andrewes had it, it was called Lincoln itself. He has also, since that time, been very much involved in the agricultural field. So welcome, Phil, to observe the committee today.

Mrs Margaret Andrewes: Thank you for this opportunity to appear before you today to review my appointment as chair of the early years steering committee in Niagara.

While I am honoured and pleased with this appointment, I acknowledge that there are high expectations for the leadership of people like me to ensure that this very important initiative achieves its potential and truly makes a difference for children and their parents in all parts of Ontario. When I think of the hundreds of stakeholders who have already been involved in crafting the early years program in its initial stages, I am very excited by the challenge we have ahead in building on the momentum and securing a sustainable program for many generations of Ontarians.

When I harken back to my formative years, my earliest memories are of the people in my community who were involved in all aspects of my growing up

experience. Indeed, many of them, including my parents, have served as role models throughout my life.

I began my formal education when I was six years old at Merton school, a one-room school perched on a bank overlooking the Queen Elizabeth Highway and Bronte Road in what was then the township of Trafalgar in rural Halton county. By then, I was well acquainted with the other 50 or so children enrolled in grades 1 through 8, because our school embodied our small community. My readiness to learn was enhanced by the fact that I was already engaged as a full member of that community and had a real sense of what to expect.

In essence, this is what I believe the early years program is all about, that is, the engagement of the very youngest children to understand intuitively that they have a sound place in society and therefore the freedom to pursue success and fulfilment throughout their lives.

1040

My experience during my formative years has played out well as I have found my way through life to this point. I will simply provide you with a few highlights that I hope will enlighten you as far as the knowledge and leadership expertise that I bring to the position of chair of the steering committee.

I first became truly aware of my potential as leader when I was elected president of my first-year class of 100 women enrolled in the then bachelor of household science course during my first week of university at MacDonald Institute in Guelph in 1963. That experience was my launching pad for many subsequent leadership positions that have been far-reaching and very fulfilling.

Following my post-secondary education, which included gaining my elementary school teacher's certificate at St Catharines Teachers' College in the same year as your Chair, I immersed myself in my short career as a grade 3 teacher in Beamsville, marriage and raising our three children, along with a variety of volunteer activities in the community.

Suddenly, in March 1981, I became a political spouse. Yes, I am married to Philip Andrewes—and thank you, Mr Chair, for acknowledging him—who served as a member of provincial Parliament from 1981-87. I cannot begin to express how appreciative I am for the experience that our children and I had as a result of Philip's involvement as a member. With him, we lived and breathed the challenges that faced the government of Ontario at that time and came to have a deep understanding of the commitment of all politicians, the political process and what it takes to achieve a balance between family and political life.

Philip and I are very proud of our three children, who are all university graduates and thankfully employed in well-suited professions. Our eldest daughter, Sarah, achieved her degree in political science at Carleton University and is currently working for an international public relations firm here in Toronto, with responsibility for investor relations. Our son, Christopher, also graduated from Carleton and is a fifth-generation farmer on our fruit farm in Beamsville. Caroline, our youngest,

graduated from the University of Western Ontario as a material engineer and she is employed as a research engineer at Ballard Power Systems in Burnaby, British Columbia.

Once Phil was retired as a politician in 1987 and back home in his profession as a farmer, I took the opportunity to spread my wings and move beyond my immediate community. By 1993, I had served as president of the Ontario Library Trustees' Association for one year, president of the Canadian Library Trustees' Association for two years and president of the Canadian Library Association for one year. My election as president of the Canadian Library Association is significant because I am the only trustee in the association's 55-year history to hold that position. All other presidents before and since are professional librarians.

While I achieved these endeavours as a volunteer, I also pursued a career in libraries. Between 1988 and 1990, I was employed by the Ontario Library Association as a coordinator of the Ontario public library strategic plan, a province-wide initiative that successfully positioned public libraries as an integral thread in the fabric of public services for all Ontarians.

From there, I ventured into employment as communications coordinator for ISM Library Information Services, a private sector company that provided bibliographic and information technology services for the national and international library communities.

In 1995, I was appointed advocacy coordinator of the Canadian National Institute for the Blind—CNIB library for the blind. It was in this position that I honed my skills as an advocate and came face to face with the issues of a segment of our society that continues to be marginalized with respect to equitable access to libraries and information.

Finally, in 1999, I was granted a return to employment in the town of Lincoln, in Niagara, my home community for almost 35 years now. At that time, I was appointed chief executive officer of the Lincoln Public Library by the Lincoln Public Library board. I feel blessed in my opportunity to come full circle in my volunteer and professional pursuits as I look forward to my role in providing leadership as the volunteer chair of the early years steering committee in Niagara. Be assured that I will do my utmost in engaging all members of this committee in championing the early years program and making sound decisions that will serve the best interests of the youngest members of our community and their parents. Over the years, I have always demonstrated commitment, enthusiasm and passion in all that I have done.

I welcome questions from the members of the committee.

The Chair: Thank you very much for your initial statement. I can assure you that your association with me and your husband will not prejudice you before this committee.

Anyway, we'll begin with the official opposition.

Mrs Dombrowsky: Good morning, Mrs Andrewes. It is very nice to see you here this morning.

I'm going to begin with a statement. The Premier previously had in place a minister without portfolio, responsible for children. Are you aware that at the time of the last change of cabinet responsibilities, the Premier eliminated that position?

Mrs Andrewes: Yes.

Mrs Dombrowsky: Do you know where the responsibilities for children now fall?

Mrs Andrewes: With the Ministry of Community and Social Services.

Mrs Dombrowsky: The Minister of Community and Social Services, with responsibilities for francophone affairs and for the disabled, so children now have a part-time minister.

With regard to the early years initiative for children and families, you have indicated that you're going to work very hard to ensure that the needs within your community are considered. Can you share with me what you understand to be the most pressing needs of families and children in Ontario today?

Mrs Andrewes: The most pressing needs?

Mrs Dombrowsky: Yes. Just two would be fine.

Mrs Andrewes: I would like to go directly to my own community in terms of what I see. I certainly have had an opportunity to look at the Early Years Study and see that in a broad sense, but I believe that in my own community the most pressing need of the broader Niagara community is for a more integrated approach to support for families who are high-risk, who are in the lower socioeconomic level.

Mrs Dombrowsky: Who are poor.

Mrs Andrewes: Who are poor, yes, and also I think just general child care issues are very important in our area. I would assume that represents pretty much what's going on across the province.

Mrs Dombrowsky: Are you familiar with or do you understand what the situation is with regard to access to regulated child care within your community?

Mrs Andrewes: I am not as familiar—

Mrs Dombrowsky: Do you know if the supply meets the demand?

Mrs Andrewes: I'm not completely up to date on that.

Mrs Dombrowsky: OK. I would suggest it probably does not by perhaps some thousands of spaces, because that would be typical across the province. I'm sure you would find it an interesting exercise when you, in your role, pursue that information.

Mrs Andrewes: I will.

Mrs Dombrowsky: With regard to services within the community, are you familiar with family parenting centres?

Mrs Andrewes: I have just been making myself familiar with family parenting facilities and centres.

Mrs Dombrowsky: Have you been able to visit any yet?

Mrs Andrewes: I have not, no. I'm aware of one in Niagara Falls and have had full communication with the

librarian in Niagara Falls as to the involvement of the library in that centre.

Mrs Dombrowsky: Are you familiar with the federal health accord that was signed I believe last September? As part of that accord, there is an early child development accord. With that accord has come \$844 million to the province of Ontario over the next five years. Ontario has already received, as of April 1, \$114 million to support early child development in the province. We still have no idea what the plan of the government is in terms of how these dollars will be spent to support children within communities. Would you expect that your early years committee would be an appropriate agent, first of all, to receive some additional resources that this accord has provided, and to set about a consultation process within the community to better understand how the needs of families and children could be met?

1050

Mrs Andrewes: That sounds very appropriate. I was not familiar with the dollars that are involved.

Mrs Dombrowsky: Federal dollars. These are new dollars intended for new programs, not to support anything that would be existing already.

Are you familiar with any of the recent documents or studies that have been published around the needs to support the youngest of our society?

Mrs Andrewes: I'm familiar with them, but I have not studied them in depth.

Mrs Dombrowsky: That would be the Early Years Study, the Mustard-McCain report.

Mrs Andrewes: Yes, very important.

Mrs Dombrowsky: Are you familiar with the Campaign 2000 report?

Mrs Andrewes: I'm not, no.

Mrs Dombrowsky: Are you familiar with the most recent UNICEF document?

Mrs Andrewes: I'm aware it's there, but I have not—

Mrs Dombrowsky: Have you had an opportunity to review the Education Improvement Commission's *The Road Ahead—V*, the last document that was issued?

Mrs Andrewes: I've read excerpts from that document.

Mrs Dombrowsky: In that document, it talks about full-day kindergarten. Do you have an opinion on that?

Mrs Andrewes: I believe kindergarten is very, very important. I believe it would be a wise move for communities to be able to move ahead and provide full-day kindergarten.

Mrs Dombrowsky: The Early Years Study by Fraser Mustard and Margaret McCain speaks of community hubs and that the school is a very logical setting, even though the government has removed the ability of school boards to afford to provide that space within a school setting. Would you be looking to partner with schools to provide space for families and children for programs?

Mrs Andrewes: I think it's wise. The point is that, as chair of the steering committee, I would be looking at all options, all partnerships, all opportunities that are there in

the community to make the most of the resources we have.

Mrs Dombrowsky: Thank you.

Mr Gerretsen: I'm not going to ask you whether or not you've got any political affiliation, because I'm positive you would have supported your husband fully in his electoral success.

Mr Kells: It's a secret ballot.

The Chair: It's a secret ballot, as Mr Kells says.

Mr Gerretsen: By the way, I know that you yourself would have made an excellent member in those days from that particular riding.

Let me ask you something, though, just following up on what Mrs Dombrowsky has asked you. It deals with the minister responsible for children. Do you basically think it's a good idea to have a minister responsible just for children's services? Do you regard it as sort of a step back that the government, in my opinion, made a very positive move by putting an emphasis on children by appointing a person in that position and now has really sort of backtracked from that? Do you have any opinion on that at all?

Mrs Andrewes: To tell you the truth, I think it was wonderful that there was a minister for children. I'm not aware of the reasons why the government chose to step back from that position. I'm not aware of how things shifted and so on. I think I would have known a little better in the 1980s what happened, but I don't know now.

Mr Gerretsen: The other issue is that they've talked about forming these committees for the last three months or so. I noted that in my own area there was a tremendous need to get people appointed as quickly as possible because a certain amount of money had to be spent by the end of March of this year to still put it into the last fiscal year. That didn't happen. I don't know whether that money has been lost or whether double the money will be available for the next year.

When were you first approached to seek this position? Was that, let's say, in January of this year? And are you not a little surprised that the process of getting the committees appointed has taken as long as it has?

Mrs Andrewes: That's a lot of questions.

Mr Gerretsen: When were you first approached about this position?

Mrs Andrewes: I was first aware of the early years program last year, where there was a lot of excitement in the community about it. I was first approached at the beginning of this year; that's correct. I submitted my application in time for the deadline, which I believe was the beginning of February. I only heard about two weeks ago that my application had been selected and—

Mr Gerretsen: Are you disappointed that things didn't move along quicker, the way it was originally suggested in January of this year? I'll be quite open and candid about it: I was approached by ministry people as well to come forward with names from my area because they wanted to get all this done in early February so that in effect the committees would be totally operating and running by the end of March and the funds for last year

that had been set aside could be expended. That obviously didn't happen. Are you disappointed with that?

Mrs Andrewes: Not really. Not personally, no. I know how much it takes to organize something like this because I've been involved in large organizations. But I do think it's very important that from this time forward very clear guidelines be given for timelines, and I would be seeking that kind of support and help from the people responsible.

Mr Gerretsen: Do you regard yourself, as chair of this steering committee in Niagara, as sort of the government spokesman for the expenditure of these funds, or do you think the committee should operate independently from government once the allocation has been given? Which of the two camps would you say you would be in as the leader that you say you are, and undoubtedly you are?

Mrs Andrewes: I would certainly be in the second camp, where I would see that my role was to take the guidelines we have from government and engage my community, facilitate a solid, sound decision-making process based on the criteria of the program as we see it and as we're advised, and go from there to make sure everybody in Niagara knows about early years, what it's about and how important it is to the future of our province.

Mr Gerretsen: Therefore you're not just a government spokesman.

Mrs Andrewes: Absolutely.

The Chair: Your time has expired, Mr Gerretsen.

Mr Gerretsen: Thank you very much. Good luck in your work.

The Chair: We now have the third party.

Mr Martin: Just in relation to the answer you gave to the last question, I appreciate that. I think it's important that all appointments act on behalf of their communities when they are made, that they give leadership from there and that they see their integrity as professionals tied up in that.

On the response you gave to Mrs Dombrowsky re the question of people most at risk in a community being of greatest concern, certainly it should be, because if we don't facilitate and help and put in place things to support those at risk, it's difficult to do the rest.

From my experience and work over the last few years, it seems to me we have a growing group of people in the province who are at risk simply because they are poor. We mentioned that word a little earlier. The depth of poverty now in the province is deeper simply by the fact that those who are most vulnerable have lost, if you factor in the 22% that was taken away from the amount of money people on social assistance got in 1995 and factor in inflation of 8%, over 30%. We have a group of people, however fewer—because the claim is made that there are fewer people on assistance out there—struggling on some very meagre incomes.

We also have people now out there working because they want to work and the system now works such that it forces people to actually go out and take jobs that don't

necessarily give them the kind of resources they had on the system to look after themselves and their children. But they are doing it and they are in poverty too. The minimum wage is quite small, and if you're working at minimum wage, a lot of times you're not working full-time hours and you're not getting benefits and those kinds of things that come with that.

If you discover in your work, in doing the good things that you obviously want to do and have shared with us here today that you want to do, that the issue of poverty and the growing depth of it and the breadth of it—because now if you listen to some of the people flowing out of Campaign 2000 across the country who say that one in five children now live in poverty, in the city of Toronto, the economic engine of this province, where jobs have been created in multitudes and the economy has grown exponentially, we have now one in three children living in poverty. If that becomes the reality for you, what kinds of messages would you be willing to send to the government and what kind of stand would you be willing to take in light of what you know are some more fundamental difficulties for those who are most vulnerable?

1100

Mrs Andrewes: I think in any program I've ever been involved with, and usually it's been working with government and I would continue to do that, it's always very important to raise the issues that are most prominent and the ones that are not being addressed.

If we find as we go through the process of managing, providing the leadership for the early years program in the Niagara area, that there are issues that are not being addressed, many of which you've mentioned, certainly that would be an advocacy issue on the part of the steering committee where we would say to government, the representatives that we have, both elected and staff, that these are issues that need to be addressed and they're not being dealt with properly.

Mr Martin: Just to follow up on that a wee bit, again, Ms Dombrowsky shared with you that the provincial government has received some \$114 million for programs for early childhood. The government is sitting on a \$1-billion surplus, that they can choose to do with what they will, flowing from the last budget and are projecting to give another \$4 billion in tax breaks over the next couple of years at the same time. I'm looking for a reaction from you, because I know the reaction I get when I share this with people out there. You suggested to Ms Dombrowsky that you weren't aware of the amount of money, the \$114 million.

Perhaps you're not aware of this either, because I know that there are a lot of people out there who aren't aware that a couple of years ago the federal government initiated, in partnership with the province, a program called the national child benefit supplement that gave to the lower-income families in our province an average of between \$80-\$100 per child per month, depending on the income level, to put a little extra food on the table, to maybe cover the cost of rent or to get a better place to

live, all the things you would do as a parent to make sure that your children were comfortable and safe.

But this government, in concert, I would say, with the federal government has decided—and they rationalized that because they came out this week with a report card that said the program was working—to take that supplement away from anybody on Ontario Works, or anybody on the Ontario disability support program, which means that those children who are most at risk in those families that are dependent on Ontario Works and the disability support program are getting that taken away. It's being clawed back, dollar for dollar, from them. What's your reaction to that?

Mrs Andrewes: You've just educated me a lot. I don't feel it's appropriate for me to react in terms of—I've just realized that you've pointed out an issue that needs to be monitored and carefully considered by both government and the community to make sure, if indeed there's an erosion of what is needed most by people in the community in that respect, that it is addressed.

Mr Martin: So you'll then understand when some of us, who don't tend to be by nature cynical—I don't see myself as a cynical person. I'm usually very happy and positive and constructive in my interaction with people in the work I've done in the community, but I become cynical when I see a government rolling out a whole new program for early childhood, with advisory councils and the money that's going to be spent there, while at the same time they're not addressing some very fundamental issues of the level of income for some of our more vulnerable and marginalized people, at-risk people. Most of the people I share the clawback of the national child benefit supplement with are shocked, first of all. They didn't know about it. They're shocked. Then they ultimately want to know, "What can I do?" Chances are you'll be appointed here this morning. I'm suggesting that when you get into your new job, that's something you might want to take a look at almost immediately.

Mr Johnson: I just had a couple of comments and not really any questions, Mrs Andrewes, but I am impressed with your background, particularly your contribution to libraries. Some would have us believe in this electronic age that their days are numbered.

Mrs Andrewes: Never.

Mr Johnson: But in our area anyway, Andrew Carnegie made available some money and we've taken advantage of it. A lot of communities have to build the physical space they need, but without people like you to contribute to the development of programs and those things, they would be for naught. So I wanted to add my personal congratulations, if you like, to that part of your resumé.

I also want to personally thank you for your contribution to education. We sometimes forget to give you teachers a pat on the back for all you do that most of us would rather not do and are awfully glad we don't have to because people like you do.

I don't have many connections in the Niagara Peninsula but my family are related to Jack and Pearl

Perkin. I know they were very much in the fruit business—Pearl just died a week ago—a family with a lot of roots in the Niagara Peninsula, particularly around Vineland, as I understand it.

I just wanted to add my pat on the back to you for coming forward for this job and for your contribution in education and libraries.

Mrs Andrewes: Thank you.

The Chair: Any further government questions?

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you very much, Mrs Andrewes, for appearing before the committee.

We have a couple of items to deal with. One will be the concurrences and then perhaps some procedural matters that were talked about a little earlier. We may have a little further discussion on that. We will see how that pans out.

First of all, we have the intended appointee as chair of the early years steering committee of the Peel Regional Health Unit, Mr Brad Butt.

Mr Wood: I move concurrence.

The Chair: Any comments? All in favour? Opposed? Motion carried.

The second is an intended appointee as member, North Bay District Health Unit, Richard Champagne.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any comments? All in favour? Opposed? Motion carried.

The third is the intended appointee as member, Licence Appeal Tribunal, Mr John Ort.

Mr Wood: I require a one-week deferral of that.

The Chair: A request for a one-week deferral?

Mr Wood: I'm entitled to that.

The Chair: Yes, it is the entitlement of Mr Wood to a one-week deferral. It is deferred.

Mr Martin: That raises an interesting question. You're entitled. I grasp this in all seriousness. You're entitled to it. Are we?

Mr Wood: You are, Mr Martin.

The Chair: I'm informed by the clerk that any member of the committee—

Mr Wood: Any member or the point person, I'm not sure. Sorry, go ahead. I thought it might be the point person, but I don't know, maybe not.

The Chair: We are going to check that out, but certainly you are entitled to request that. We are going to find out if others are entitled to do the same.

While we are doing that, we will move to the intended appointee as chair, the early years steering committee of the Niagara Regional Area Health Unit, Margaret Andrewes.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Martin: Yes. I just wanted to say that the responses to questions and the dialogue among all members with Ms Andrewes was quite refreshing. I'm hopeful that she will follow through on some of the

obvious real interest and concern she has in this instance, where some of our more marginalized and vulnerable children are concerned. It's because of that, I have no difficulty supporting her appointment to that job. I think we need more people with that kind of integrity and conscience in those kinds of positions, and hopefully she will follow through.

1110

The Chair: Any other comments?

Mr Gerretsen: I take it Mr Andrewes was a New Democratic member, was he?

Mr Martin: No.

The Chair: The concurrence motion has been made by Mr Wood. We've had our discussion. If there's no further discussion, I'll call the vote. All in favour? Opposed? The motion is carried.

In answer to your question, Mr Crozier, according to the standing orders, it says, "Any member may request that the committee defer its determination to the next meeting of the committee, but in any event no later than 7 calendar days." So any member of the committee has an opportunity to do that.

Is there any further business that the committee wishes?

Mr Johnson: Mr Chairman, I had a note attached to my committee meeting notice. It says for the next two weeks they will be delivered in the House, the same as usual, I assume, but "Beginning May 10, yellow notices will no longer be delivered to the House." I wanted to just register my objection to this particular—I think there are people running around the House all the time and I don't think it's very expensive to have these delivered. I think they should be, and I would like them to be continued.

The other thing is, they're dependent on the absolute perfection of both fax machines. The issuing fax machine can have some problems in it. If it leaves out "am" or "pm" or a date or something, it causes a problem. The receiving fax machine also has to work perfectly for this system to work. I just wanted to register my objection to us doing it. I don't know who is proposing it. If and when I do, then I would register my objection to them.

The Chair: I thank you for doing so. Our clerk has indicated that she will bring your concerns back to the committees branch. Also, I guess we all have the opportunity to raise the issue with the Speaker of the Legislative Assembly.

Mr Johnson: Is he the one who decided to do this?

The Chair: I'm not certain how that came about.

Mr Johnson: I want to talk to the person who's doing it.

The Chair: I'm told it did originate in the committees branch, and our clerk has indicated she will bring your concern back to the committees branch.

Mr Wood: I wonder if we might get a report on just why this change is proposed, because ultimately I think it's the committee that decides. I don't think it's decided internally.

The Chair: We will get a report on that as well.

Mr Wood: I'd like to have a report as to the reason for this change and where it came from, please, at the next meeting.

The Chair: We will get that for you, Mr Wood.

Mr Martin: I'd like to support Mr Johnson in tabling that concern as well.

Mr Crozier: Further to Mr Gerretsen's comments, and actually as a follow-up to last week, I raised informally to the clerk about vacancies, how we could find out, all of us, when there are vacancies on government agencies, whether they're advertised, whether they're not; just the mere fact that vacancies are either coming up or available. I might ask the clerk if, after that inquiry, she could report anything to us.

Clerk of the Committee (Ms Donna Bryce): I missed the first part of your request because I had a phone call, but it was a follow-up to our conversation earlier, did you say?

Mr Crozier: Yes.

Clerk of the Committee: OK. I sent an e-mail to the secretariat and they advised that somebody would be calling back with that information. So you should get that fairly shortly from Peter Allen, the general manager.

Mr Crozier: Calling back to you, as clerk?

Clerk of the Committee: That's right.

Mr Crozier: Mr Wood suggested that a call be made to someone earlier on in this discussion.

Mr Wood: I have invited the Public Appointments Secretariat to give a report to Mr Gerretsen on the terms which I indicated earlier. I'd be pleased to invite them to give you the same report if you wish it.

Mr Crozier: Yes. I just wonder if it might be best to have a written report and then we can all share it.

Mr Wood: I'm thinking in terms of a letter from them to Mr Gerretsen and yourself, if you'd like to get the letter, which I gather you do wish to have.

Mr Crozier: Sure. That's fine.

The Chair: That should come to the committee so that all members of the committee have access to it.

Mr Martin: If I remember back to between 1990 and 1995, which was my first term here, there was a book produced, and I believe Mr Pond has a copy of it behind the desk there.

Mr Kells: That's the one. It's an excellent publication.

Mr Martin: It was available in a lot of public places. It was available in my office. I know that all kinds of people became aware of the fact that we had that kind of information. They would come in—we would never give

it out because we'd never get it back—and they would sit and go through it. In that way, we were able to at least share information with some of the very best folks out there who might have an interest or might serve in a public capacity in that way. I just think it's too bad we don't have that any more.

This business of advertising is very hit and miss. If you look at the number of people who come forward here to be appointed or to be interviewed before appointment, most of them knew somebody who knew somebody. That's not a good way to run a province or to run a lot of these very important public bodies. I would agree with Mr Gerretsen that—

Mr Kells: That's something you picked up when you were in power for five years.

Mr Martin: I wasn't actually quite in power. I was like you, Mr Kells, trying to—

Mr Kells: That's mean.

Mr Martin: Yes, that's mean. There are a number of us—and every government has them—who don't ever get to be close to the fire.

Mr Kells: It's an affliction of the Irish.

The Chair: The booklet to which you have made reference is called *A Guide to Agencies, Boards and Commissions*. This is the one you made reference to. I think it was available at one time in public libraries, as well as constituency offices. I presume you wouldn't mind if this book were to be reissued if the cover were blue instead of green.

Interjection: Any colour, whether it's green, yellow—

The Chair: The cover of these various publications seems to change with the government in power. I don't know why that is. I think it's just coincidental probably, but it tends to happen. Anyway, we will be getting that report. It may be that at a future meeting of the committee we may wish to make a recommendation—or not make a recommendation, that's up to the committee—as to what we feel the procedure might be in terms of informing the public of availability of the opportunity to serve on one of the agencies, boards and commissions of Ontario.

Any further business for the committee?

Mr Wood: I move adjournment.

The Chair: Adjournment has been moved by Mr Wood. All in favour? Opposed? Motion carried. The meeting is adjourned.

The committee adjourned at 1118.

CONTENTS

Wednesday 2 May 2001

Subcommittee reports	A-7
Intended appointments	A-7
Mr Brad Butt	A-7
Mr Rick Champagne	A-11
Mr John Ort	A-14
Mrs Margaret Andrewes.....	A-16

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Also taking part / Autres participants et participantes

Mr John Gerretsen (Kingston and the Islands / Kingston et les îles L)

Clerk / Greffière

Ms Donna Bryce

Staff / Personnel

Mr David Pond, research officer, Research and Information Services

120N
C19
652



A-3

A-3

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 9 May 2001

Journal des débats (Hansard)

Mercredi 9 mai 2001

**Standing committee on
government agencies**

Subcommittee report

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapports du sous-comité

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 9 May 2001

Mercredi 9 mai 2001

The committee met at 0933 in room 151.

SUBCOMMITTEE REPORT

The Vice-Chair (Bruce Crozier): Good morning, ladies and gentlemen and members of the committee. We'll get underway with the report of the subcommittee of Thursday, May 3.

Mr Bob Wood (London West): I move its adoption, Mr Chair.

The Vice-Chair: All those in favour? Opposed? We made it.

Mr Wood: On a point of order, Mr Chair: I wonder if I could suggest that Mr Ort be moved to the end when we deal with the rest of the concurrences. Since I think we have our intended appointee here at the moment, I would make an order to move item 2 to the rest of the concurrences.

The Vice-Chair: Anybody have a problem with that? No? OK.

INTENDED APPOINTMENTS

JOHN LACEY

Review of intended appointment, selected by the official opposition party: John S. Lacey, intended appointee as vice-chair, the Liquor Control Board of Ontario.

The Vice-Chair: We're ready to call our first selection, and that is John Lacey, intended appointee as vice-chair of the Liquor Control Board of Ontario. Good morning and welcome, Mr Lacey.

Mr John Lacey: Thank you.

The Vice-Chair: You may be familiar with the procedure, which is that you have opening comments, which is part of the government's time, and then there will be questions, if they are required, from the three parties.

Mr Lacey: Good morning. My name is John Lacey. I'm chairman of the Loewen Group, and my responsibilities are to try to restructure Loewen, which is in chapter 11 and CCAA in Canada. I've been on the board of the LCBO since June 1996, which was the last time I sat in front of this committee.

I'm also on the boards of Telus and Clarica, the insurance group, and on the Canadian Centre for Studies of

Children at Risk, which is part of the McMaster University program.

I'm an immigrant Canadian. I came to Canada in 1978 and have enjoyed this great country ever since.

The Vice-Chair: Thank you, sir. We will begin the questioning. I don't know whether we have our regular rotation list here. We have a new clerk this morning. She's ready to do a great job for us. We will start the rotation with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Lacey. You have indicated that you have been on the board since June 1996 as a regular member of the board, and now this appointment is for the vice-chair.

Mr Lacey: Yes.

Mrs Dombrowsky: I did some background reading, and it certainly must be an interesting role. There are some questions, though. With regard to delisting products, we have been given to understand that many Ontario wineries have a problem with the fact that the LCBO is delisting a significant number of products. That presents a problem for them. Would you have a particular opinion on this?

Mr Lacey: I'm not part of the listing committee, but from a board perspective I can tell you that we pay particular attention to Ontario wines. I think the chairman of the LCBO and the whole management team have done an outstanding job in developing Ontario wines.

You may or may not be aware, but it is my understanding that of our total volume in litres of wine sold now, Ontario wines would be over 40% of our total litrage. From that perspective there is a special committee within management to continue the development of Ontario wines and also a complement to the producers in Ontario, who have continued to improve the quality of Ontario wines.

I think you'll appreciate that from our perspective the ultimate decision-maker has to be the consumer. The LCBO doesn't have elastic shelves. It only has so much space. New products are coming out all the time. Some products perform well; some products don't perform so well. A very careful and considered process is applied to the allocation of shelf space according to volume and to consumer needs, and we pay particular attention to Ontario wines. I'm not sure that criticism is well founded.

Mrs Dombrowsky: Perhaps I can share with you an example that has been presented to me that gives me

some cause for concern. Last year some 400 products were delisted by the LCBO. That was an increase of some 250 products over the previous year. That's better than a 100% increase in the number of products that were delisted. Approximately 20% were Ontario products, and one particular product that was delisted actually went on to win an award.

When you explain to me that you attempt—and you are very careful—to ensure quality within the range of products that are offered to Ontario consumers, I appreciate that. But you can understand why some wine producers are concerned by the fact that products that are no longer available for sale in Ontario have actually won awards.

Mr Lacey: I can't comment on that. I'm not familiar with that particular case. From our perspective, I would assume that the listing committee paid particular attention to that. As I say, at the end of the day it comes down to consumer volume that dictates the issues. In the sense that only 20% of the 400 delistings were Ontario, that would be well below the 40% of the volume ratio I commented on earlier. So I think the other number we should know in terms of putting that in context is how many applications were made to go on to the shelves, because that could be a significant number.

0940

Mrs Dombrowsky: Do you think that Ontario products should be given additional or special consideration above the products from other jurisdictions?

Mr Lacey: I believe they are extremely well-focused and -served inside the LCBO.

Mrs Dombrowsky: With the present delisting rules?

Mr Lacey: Yes, and listing rules.

Mrs Dombrowsky: And listing rules that give them no preference or priority?

Mr Lacey: I think there's very careful consideration given to Ontario wines.

Mr John Gerretsen (Kingston and the Islands): Good morning, sir. Just a couple of questions. What is the per diem or stipend as vice-chair of the LCBO? What do you understand it to be?

Mr Lacey: I believe that directors get \$100 per meeting and I believe the vice-chair gets \$140. I should make it clear to the committee that the \$100 I have been receiving is actually donated to Children at Risk, and if I become vice-chairman, \$140 will go to Children at Risk. I don't take any personal money out of LCBO.

Mr Gerretsen: That's very commendable. Do directors sometimes attend more than one meeting per day?

Mr Lacey: No.

Mr Gerretsen: Let me ask you this. Today is budget day. There has been a lot speculation about the next privatization move by the government. The LCBO is always on somebody's list somewhere. What is your personal attitude with respect to privatization of the LCBO?

Mr Lacey: I'm on record in 1996 as saying that I have an open mind on that. I think it comes down to two issues: to economics and to the will of the shareholders in

this case, and the shareholders are the citizens of Ontario represented by the government.

Mr Gerretsen: But the actual shareholder is the government of Ontario, whatever government happens to be in charge at any one particular time.

Mr Lacey: Yes, sir.

Mr Gerretsen: I must say I've been very impressed with what the LCBO has been doing over the last five to 10 years in upgrading its properties and facilities in most areas. It has certainly become much more business-oriented and -focused, and I totally support that. At the same time, I truly believe it is a business that should stay within the public sphere. You don't have a personal opinion as to whether it should or shouldn't be privatized? I mean, you've been there now for almost four to five years and you've got a pretty good insight into how the operation runs and the profitability of the entire operation. You still don't have an opinion one way or another?

Mr Lacey: As directors, I think our responsibilities are to try to make the organization as productive, efficient and profitable as possible within the rules of compliance of alcohol sales. There is a fine line on this issue as a retailer, a wholesaler and a distributor. But I do believe that our job as directors is to try to make it as profitable and as efficient as possible, and I certainly can tell you that in the last five years our expense ratios as a percentage of sales have gone down, our total volume has gone up and our total profitability has gone up. More important, our consumer satisfaction indicator has gone up considerably.

I don't believe we've got it as a fine-tuned drum just yet. There's still more work to be done to make this an even better organization. But I've got to tell you that certainly in my tenure it appears that we've got over 80 awards for store design and retail performance and what have you. The board is very much concentrating on trying to make it as efficient as possible. If we ever reach that—and it's highly unlikely that you ever get it perfect—and it's at its peak financial performance, then the shareholders should make the decision whether that's an organization they want to keep inside or whether they want to privatize. Like any board of directors, we listen to our shareholders.

Mr Gerretsen: Are you in favour of selling beer and wine in corner stores?

Mr Lacey: No, sir, I'm not.

Mr Gerretsen: Why?

Mr Lacey: I think the control aspect gets more complicated.

Mr Gerretsen: OK. Thank you very much.

The Vice-Chair: Any more questions? If not, we'll move on to the third party.

Mr Tony Martin (Sault Ste Marie): Good morning. Thanks for coming. You're moving from director up to vice-chair re this appointment. Any reason why you're making that move or how all that came about?

Mr Lacey: Very simply, the vice-chair, my predecessor on the board, obviously has resigned and Andy

Brandt approached me on the basis that I had been there for five years and asked me if I would be willing to take that role.

Mr Martin: Given that you've been part of what you've described just previously as a very positive evolution of that corporation in terms of efficiency and profitability—and I guess building on the question the Liberal member asked—and you said it depended on the shareholders whether they wanted to privatize this, do you not have any personal thoughts on why the shareholders would be looking at privatizing something that was so obviously profitable and successful?

Mr Lacey: I think you've got to ask that Premier that, sir. I'm not privy to his or the cabinet's thinking on that.

Mr Martin: As a successful business person yourself, in your own right, and having spent a significant bit of time over the last four to five years on this, if you were asked for advice, what would your advice be?

Mr Lacey: As a businessman whose career is about fixing companies and trying to gain shareholder value for companies—that's what I do for a living—I always advise shareholders to try to build an organization to the peak of its value before you consider doing anything with that because you get the highest multiple for its performance. Whether the LCBO is at that level or not—in my opinion it isn't at this point in time. But should the government wish to privatize, my advice to them would be to make sure it's at its peak value before you do that in order to maximize your value as a shareholder. But in terms of most companies, at the end of a long day, shareholders choose to either hang on to or sell assets, depending on their particular bent. I'm not privy to that.

Mr Martin: Moving away from the very narrow business concerns that I'm sure all of us have and the government has, there's also the issue that you referenced in your answer to the question of whether you supported selling beer and wine in corner stores. There's the question of the distribution of alcohol and the control of alcohol, and it is a substance that has potential to be harmful in the wrong hands, particularly where minors are concerned. What would be the pitfalls in that sense, from your perspective, with moving this out of the direct control of government and turning it over to perhaps a private operator or a private scheme?

Mr Lacey: As a specialized chain in the sale of alcohol, I think it's much easier to dedicate staff and resources and the design of stores to accommodate a fair and equitable control on the sale of alcohol to minors or people who shouldn't in fact be buying alcohol even as adults. When you put it into a general distribution where the staff are selling thousands of products in different environments, I'm not sure you get the same focus.

Mr Martin: Given that the rest of us don't have any insight here, particularly on this side of the table, as to what's going to be announced in today's budget, we all woke up to the news this morning that there was some vehicle of government that was on the block. You don't have any indication this morning as to where—

Mr Lacey: No, sir.

Mr Morley Kells (Etobicoke-Lakeshore): Nor do we.

Mr Martin: You don't care to comment any further?

Mr Lacey: No, sir. I'm not in a position to comment.

Mr Martin: Maybe we could have Mr Brandt come and enlighten us as to—

Mr Andy Brandt: My answer is the same as Mr Lacey's.

Mr Martin: Thank you very much.

0950

Mr Bert Johnson (Perth-Middlesex): Welcome, Mr Lacey. I live in a little town called Listowel. We have one of your stores and a beer store, and I've often wondered why, in the marketing scheme and the control of alcoholic products and so on, the LCBO didn't—and I realize you do sell beer in six-packs and so on. A lot of people in small towns have to drive to both those locations. Why didn't you put a lean-to on the LCBO store and sell the beer out of it and make one trip for a lot of people?

Mr Lacey: I think that's been a long debate between the Brewers Retail and the LCBO for many years, and I'm not sure I have the solution for that.

Mr Johnson: Maybe a private bill would do it. Anyway, I did want to comment on both the marketing and the updating of the stores and to compliment the Liquor Control Board of Ontario for that, and also your work with the control of alcohol, not just the product and the selling of it but the control of it. We feel confident that that's been in good hands for some years, and I want to add my compliments on that.

Mr Lacey: Thank you, sir. I'm extremely proud to be associated with the LCBO. I think it's an organization that has grown very professionally as a crown corporation in the last five to six years, and I think that being associated with success is always useful.

Mr Joseph Spina (Brampton Centre): Thanks for coming before the committee, Mr Lacey. I just want to say that, based on your track record in the retail industry and the food and beverage industry, I think you bring some fabulous assets to the LCBO, and if you can get along with the current chair—

Mr Lacey: It's difficult.

Mr Spina: Yes, I know, he's a little testy sometimes, but I think you'll do a terrific job on the board, and I wish you well.

Mr Lacey: Thank you. It's not so much that he's testy; it's his jokes we can't stand.

The Vice-Chair: Any further comments?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: Thank you, Mr Lacey. We'll deal with concurrence at the end of our meeting, but before you leave, I would like to recognize for those who are here and for some who may be watching on TV this morning, that we do have here the chair of the LCBO, Andy Brandt, a former member. I won't go into the history, except to say that at one time he was interim leader of his party. Mr Brandt, we welcome you today and wish you well.

Mr Gerretsen: Mr Chairman, I move, with unanimous consent, that Mr Brandt be placed in the hot seat right now so we can ask him some questions. Is there unanimous consent?

Interjections.

Mr Brandt: Mr Chair, I don't want to be placed in the hot seat. I want to make one point of clarification that was raised by Mrs Dombrowsky.

The Vice-Chair: This is a bit unusual. Is this OK?

Mr Brandt: I just have a brief point of clarification.

The Vice-Chair: Mr Brandt, you have two minutes.

Mr Brandt: I only want to make one point of clarification. There was a rather sensitive matter raised by Mrs Dombrowsky with respect to a product that was delisted that had won an award. That was an embarrassing moment. The product won the Andy Brandt award. The Andy Brandt award is for the best red and white Ontario wines.

How that unfolded was a typical business situation. Although the product won an award, it did not sell particularly well. Immediately following the winning of the award, I indicated to staff the propriety, if you will, of re-listing the product. Subsequently, the product was re-listed and I want to tell you that as of yesterday the product is totally sold out.

I just want to clarify that we are sensitive to Ontario wine. We do try to focus on the success of those businesses. I think Mr Lacey answered the question in a very fulsome manner, but the reality is that it is an extremely competitive marketplace. We do work on a very direct basis and meet regularly with Ontario wine producers, and the specific product you mentioned was in fact looked after.

The Vice-Chair: Thank you, Mr Brandt. We wish you well.

Mr Brandt: Thank you. It's good to see you all.

The Vice-Chair: It's always nice to be in the chair when something unusual happens.

ROBERT ANDERSON

Review of intended appointment, selected by the official opposition party: Robert C. Anderson, intended appointee as member, Meaford Thornbury Police Services Board.

The Vice-Chair: The next intended appointee, as member of the Meaford Thornbury Police Services Board, is Robert C. Anderson.

Good morning, Mr Anderson. Make yourself comfortable. If you have not been apprised of the procedure, you're free to make some opening comments, and then we will move in rotation to some questions if necessary.

Mr Robert Anderson: Thank you very much for inviting me to appear before you this morning with regard to the pending appointment to the Meaford Thornbury Police Services Board. I will begin by telling you that I have been a resident of Meaford for the past 40 years, and I would be a worthwhile candidate for the position on the board.

I worked for Union Gas Ltd as a service maintenance representative from 1959 to 1996, when I retired. After retirement, I opened my business, the Anderson Group Inc, natural gas services, of which I am owner and president. Presently I am working, involved in sales, service and maintenance. Because of my business, being out in the community so much, I do know a lot of people in the area and understand some of their concerns.

I have been a volunteer firefighter captain with the Meaford and District Fire Department from 1963 to the present time and find this a very rewarding and satisfying position.

Over the years, I have been involved in minor sports. Last year I was involved as a volunteer in the Meaford flowers in bloom committee. I enjoy golf, fishing, hunting and all outdoor activities.

I was elected in the municipal elections in Meaford for two terms on the Meaford Public Utilities Commission.

I am a member of the Masonic Lodge, Meaford; Scottish Rite Canada; Rameses Shrine, Toronto; a member of the Centurion senior NCO officers' mess, Canadian Forces Base, Meaford.

I have been involved with police most of my life. My father, Inspector C.N. Anderson, was the longest-serving member of the Ontario Provincial Police—39 years—until the time of his death in a 1971 traffic accident. I have great respect for all police officers with regard to the job they do both in uniform and as private citizens.

I feel that through my honesty and integrity, I would help to provide civilian governance to the municipal police force.

Last but not least, I have been happily married to Gail for 37 years and have two sons and a grandson of whom I'm very proud.

Thank you for your attention. I will be pleased to answer any questions that I can.

The Vice-Chair: Thank you, Mr Anderson. We will move to the third party.

Mr Martin: Certainly your history of service to your community is to be commended. Why would you want this appointment, given all the things you're involved in?

Mr Anderson: My wife asked me that same question. I felt I could bring some help to our board at the present time. As you know, we are in a transition period, being formed as the new municipality of Meaford, with Sydenham and St Vincent townships. But we are also involved with the Thornbury police services, which is Meaford-Thornbury. Thornbury has opted out to the OPP.

When the ad came out, I felt we needed local people on our board. Right now the board has three people from Thornbury and one from Meaford, who is the mayor.

Mr Martin: You've obviously got your hands full. There are some pretty major issues where policing in that area is concerned, I would guess, from the background we have been given anyway. One of them is financial—the difference in contributions that different areas have to make. How would you resolve that?

Mr Anderson: I really don't know how to answer that at the present time, because I've never actually sat on the board and I don't know the financial situation. I know that Meaford pays two thirds of the cost at the present time.

1000

Mr Martin: There are also the choices the service will have to make around who polices what. It seems to me there are three. There is the OPP, and I think there are two jurisdictions that had their own policing before. What would your preference be?

Mr Anderson: I don't really feel I should answer, because until I actually sit on the board and have the feeling of what's going on—from what I know locally, the people in our community like the local service, they like our local police, but costing and things like that would have to be found. They have all that, but I don't know those particulars at the present time. Until I find that out, I wouldn't want to voice an opinion on the cost one way or the other.

Mr Martin: Just to shift a little bit, policing has evolved over the last number of years—I heard this comment recently at the retirement of a police officer in my own community—from what used to be a police force to what is now a police service. It creates some consternation in some people's view. That comment seemed to crystallize two views of what policing should be and could be about. What's your view on how policing has evolved more into a service now, with community policing, that notion, that kind of approach?

Mr Anderson: I feel very strongly about the community policing aspect of it. We have officers who go into our local secondary school on a regular basis. They talk with the students, they sit there and they chat it up with them and everything else. Our local police force is involved in the community schools, which is the public schools sector: bike rodeos and things like that. I think that's very good. In the last year they're more visible in our downtown area, which they used to be years ago and then things changed. Now they're getting back into that police servicing aspect.

Mr Martin: You think that's a good way to go?

Mr Anderson: I think it's a good way to go because you have the public's support behind you at that time.

Mr Martin: There's also been an issue over the last few years, particularly where the Toronto police are concerned, but it's not just here; it's across the province. It's the issue of police and police associations involving themselves in the political activity of a community and of the province, and taking positions and stands on actually supporting people and not supporting other people who are running, who are more, say, sympathetic to some of the issues that are out there where policing and politics is concerned. What would be our view of that?

Mr Anderson: That's a hard question for me to answer, because I feel that policing and politics don't really jell together properly. The Solicitor General runs the Police Act etc. Politicians are fine too, because they

set what the Solicitor General does. I'm not sure just how to answer that at the present time.

Mr Martin: OK, thank you.

Mr Johnson: I don't have a whole lot of questions, but I wanted to welcome you here this morning. I assume this is Gail you've brought with you.

Mr Anderson: Yes, it is.

Mr Johnson: I was hoping it was, because I didn't want you to get carried away with the big city or any of the temptations that are before you.

I'm impressed with your background, with your commitment to your community and with the way you square those things with your experiences and with your endeavours for the future. Our small towns need the commitment and service of people like you to run all their institutions. The member for Sault Ste Marie was pointing out the difference we have between what we called our police forces and our police service, and part of it is to relate that it is a service, but I don't think we should ever forget that part of their job is to use what we call deadly force. We train them well, we hope they have the instincts to do their job well, and you'll be guiding them with all the wisdom and support you can get from your community.

I don't have many questions. It'll be a learning experience for you to get involved in this institution in your community, and I wish you very well with that.

The only thing I want to say is that with this evolution, if that's what it is, between a police force and a police service, I don't think we ever should forget that every policeman in Ontario is a peace officer. They are first a peace officer before they are anything else. Most of them live up to that far beyond our expectations. I wish you well.

Mr Anderson: Thank you very much, Mr Johnson.

The Vice-Chair: Any further comments?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: We'll then move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Anderson.

Mr Anderson: Good morning, Mrs Dombrowsky.

Mrs Dombrowsky: My home is Tweed, Ontario. Our sons were hockey players, so we had occasion to visit the lovely community of Meaford during playoffs in some of those seasons, and it's a lovely part of Ontario. So I am familiar with your community.

Could you tell me how many residents there are in Meaford or would be within the jurisdiction of the area your police service would be responsible for?

Mr Anderson: I believe it's between 1,700 and 1,900 in the Thornbury area and then about 4,100 in Meaford. If you combine the townships of St Vincent and Sydenham, which we are now a municipality of, I don't know the actual figures for those municipalities.

Mrs Dombrowsky: Would we say upwards of 10,000 residents? Would that be a reasonable estimate?

Mr Anderson: I think that might be a little high.

Mrs Dombrowsky: Under 10,000 then.

Mr Anderson: Yes.

Mrs Dombrowsky: What would you consider significant challenges for a police services board in considering and providing direction for a police force or a police service that would be providing a service for only part of a municipal jurisdiction?

Mr Anderson: Which would be just the town itself?

Mrs Dombrowsky: Yes. Am I clear on that?

Mr Anderson: With the new municipality, we've now been combined with Sydenham and St Vincent, which covers a large area of the county. Their coverage would be a lot more. Right now we have eight officers. Probably that would have to be increased if we stayed with our own municipal force once Thornbury is out. There's also the option of joining with the OPP. I think there's an option of joining with the Owen Sound city police service, which would again increase the size of it and that would change things dramatically. But until such time as I actually would sit on the board and hear both sides of it and get the material presented to me, it's pretty hard to say what's going to happen there.

Mrs Dombrowsky: I'm sure you've had conversations with people within your community to try and understand their sentiments in terms of who they would prefer to protect their community. What's your read on that? What are people telling you within your own community?

Mr Anderson: The people within our own community, within the boundaries of Meaford itself, feel very strongly about our local police force. I've been involved with them since I came to Meaford back in the 1960s and have known every officer and every chief etc. The people themselves within the community feel they're better served at the present time by their local service because they can see them out there; they see the vehicles there.

1010

Mrs Dombrowsky: That's a great tribute to the force providing the service at the present time.

Mr Anderson: It is.

Mrs Dombrowsky: Have you had an opportunity to speak to residents in the new area, the area to which the service would be expanded, to understand what their sentiments would be?

Mr Anderson: I only spoke briefly with the mayor of the new municipality, Mr Shortt. He feels very strongly about our local force, and he's a resident of St Vincent township.

Mrs Dombrowsky: Oh, very good. You know as well, Mr Anderson, it is rather regular on this committee that appointees would be asked about previous political affiliation. Do you have any?

Mr Anderson: No, I am not a card-carrying member of any political party.

Mrs Dombrowsky: Have you been?

Mr Anderson: No.

Mrs Dombrowsky: Have you assisted in any political campaigns?

Mr Anderson: I could say no, that I haven't. I can tell you honestly that I am Conservative and that's been

throughout my life, but I've never actually joined any party.

Mrs Dombrowsky: I appreciate that. Thank you very much. I have no other questions.

Mr Gerretsen: We need people to be involved in the political process. I think it's a plus if anybody says they were involved with a political party. Obviously, I hope it's the party that I support and am a member of, but I can certainly appreciate that.

I noticed that you were elected to two terms on the public utilities commission in Meaford.

Mr Anderson: Yes.

Mr Gerretsen: Of course, utility commissions have disappeared now.

Mr Anderson: Yes, they have.

Mr Gerretsen: Do you have any opinion on that? Do you think that was a negative step?

Mr Anderson: I believe it was, in one sense, because you lose that local feeling. But I believe in deregulation, because it opened things up for the public sector, that had to of course get rid of the utilities themselves.

Mr Gerretsen: Of course, deregulation so far has meant only increased prices for the consumer out there.

Mr Anderson: Yes, I know that.

Mr Gerretsen: You're not in favour of that, are you?

Mr Anderson: Not really, but it happens. I'm not in favour of gas prices going up at the pumps, but it happens.

Mr Gerretsen: I was on a utility commission for eight years in Kingston when I was mayor of that community. If you had a separate commission looking after the activities of the utilities, it just seems to me it used to get a lot more attention from a sort of overseeing body than it does currently, when it's lumped in with all of council's other business etc. Do you share those feelings?

Mr Anderson: I do share that with you. Our local electrical utility has joined with, I believe, Hydro One. The transition hasn't actually taken place yet. But talking to the local boys, and I know them very well, who work for the electrical, we're going to lose them. They're not going to be, let's say, at our beck and call. If something happened very quickly and you needed them immediately, it's going to take longer for them to be on the job than it has.

Mr Gerretsen: When were you elected to the utilities? You didn't mention the years here. Was it fairly recently or was it some time ago?

Mr Anderson: No. It was quite some time ago.

Mr Gerretsen: In the 1980s?

Mr Anderson: No, I think it was back, actually, in the late 1970s.

Mr Gerretsen: Do you have the same sort of fear that this may happen to police service boards as well, that they may be taken over by councils and in effect disappear?

Mr Anderson: I would hope not. I would hope that would not happen.

Mr Gerretsen: Right. Just so I'm clear on some of your earlier statements, you're going into this with an

open mind as to whether or not the Meaford police should continue as a separate entity rather than be amalgamated with other forces. But what you're hearing from the public out in your area is that most people would prefer to see the identity of the force maintained the way it is currently.

Mr Anderson: Yes, they would. The local residents of Meaford proper feel very strongly about that.

Mr Gerretsen: Yes. I wish you well. I think it's a very interesting experience to serve on a police service board. With your background, I'm sure you will do a very good job.

Mr Anderson: I'll certainly try, sir.

The Vice-Chair: Thank you, Mr Anderson. As I mentioned before, we'll deal with concurrences at the end of the day. You're welcome to stay with us or go on your way.

Mr Anderson: I'll probably take my wife shopping now.

The Vice-Chair: Oh, oh.

Mr Gerretsen: Maybe you'd better stay, then.

Mr Anderson: Thank you very much, Mr Chair and members of the committee.

The Vice-Chair: Ms Schreiber is not here yet. She's not scheduled to be here until 10:30, so we can recess until she arrives or deal with—

Mr Wood: I'm not sure if we can deal with concurrences.

The Vice-Chair: Yes.

Mr Wood: I guess I should place a motion, then. I move concurrence re Mr Ort.

The Vice-Chair: Any discussion?

Mrs Dombrowsky: A recorded vote, please.

Ayes

Johnson, Kells, Spina, Wood.

Nays

Dombrowsky, Gerretsen, Martin.

The Vice-Chair: The motion is carried.

Mr Wood: I move concurrence re Mr Lacey.

The Vice-Chair: Any discussion?

Mr Johnson: A recorded vote, please.

Ayes

Dombrowsky, Gerretsen, Johnson, Kells, Martin, Spina, Wood.

The Vice-Chair: The motion is carried.

Mr Wood: I move concurrence re Mr Anderson.

The Vice-Chair: Any discussion?

Mr Johnson: A recorded vote, please.

Ayes

Gerretsen, Johnson, Kells, Martin, Spina, Wood.

Nays

Dombrowsky.

The Vice-Chair: The motion is carried.

Having dealt with those, I suggest this committee recess until 10:30.

The committee recessed from 1017 to 1022.

LYNDA SCHREIBER

Review of intended appointment, selected by official opposition party: Lynda Schreiber, intended appointee as member, the Early Years Steering Committee of the Halton Regional Health Unit.

The Vice-Chair: Ms Schreiber, welcome. Make yourself comfortable at the table. There's water there for you if you so choose. The procedure is that you have the opportunity to make some opening comments of your own, and then we move to the various caucuses for the question and answer period.

Ms Lynda Schreiber: As you heard, my name is Lynda Schreiber, and I'd like to thank the members of the committee for having me before you this morning. It is indeed a pleasure and my honour to be here to apply for the position on the Early Years Steering Committee of the Halton Regional Health Unit. As I understand it, you will ask me questions after I've just made a short statement, and the questions will be related to what is a volunteer committee. I think it's interesting that I'm going through this to be a volunteer. Some day I'll learn how to say no, but for now I say yes continuously, especially when it comes to children's services.

As you've seen from my resumé, I have an extensive background as a community volunteer. I'll highlight some of those activities and add where committees and commitments are missing due to space limitations on my CV.

My first real volunteer work was for a youth agency which sought to assist young people in need of housing in a safe environment where they would be encouraged to reach their full potential through education, counselling and/or work opportunities.

I served also as a volunteer for the Youth Employment Service advisory committee in Burlington in the 1980s.

I've canvassed for various charities and medical research organizations over the years. I think I started when I was about 10, and that was a long time ago.

In addition, you will note that I was a school board trustee for six years. Of course, my eyes were opened to the world of early years issues at that time. It became very clear that there is a universal need to offer voluntary programs to parents for nurturing bright and happy youngsters who are ready for school, to identify early any hurdles they may have to overcome, support groups,

early learning opportunities and so forth. The school system was clearly not the place to fix those young people's problems at that time.

Research certainly supports the common wisdom of our grandmothers about what constitutes good parenting: nutrition, social activities, physical activities and so forth. It will always be the case that an ounce of prevention is worth a pound of cure.

A lot of the work was done in Halton while I was on the board, by the district health council, was to facilitate better speech-language programs for youngsters not yet in school. This was an enabling program that had been long awaited by the parents.

As the mother of two rambunctious boys born in the last decade, I became familiar with the many opportunities in our community of Halton. I also became aware of the many gaps, particularly in areas more remote than southern Oakville and southern Burlington.

For the past three years I was a regional and city councillor, serving on the health and social services committee. Our staff kept us up to date on early years initiatives, such as Healthy Babies, Healthy Children, and programming and funding opportunities in other areas.

Also, it became very clear that partnerships were the way to go as the dollars shrunk over the years. I am well versed in the needs of our impoverished children in the area and hope that we can see through these early years initiatives some innovative new programming which brings together multisector funding partners on behalf of all our children, as they are our future.

I look forward to serving my community and am prepared to give you answers to your questions at this time. Again, I thank you for having me here today.

The Vice-Chair: We will begin the questioning with the government members.

Mr Wood: We will waive our time.

The Vice-Chair: Then we'll move to the official opposition.

Mrs Dombrowsky: Good morning, Ms Schreiber. Thank you very much for your presentation. There are just a couple of things in your presentation—the one I have here in front of me in print—that I wanted to clarify. You've indicated here in this document that you were a trustee on the board from 1999 to 2000. I think this morning you said you were a trustee for six years.

Ms Schreiber: Sorry, that was a typing error. I was elected in 1991 and served until 1997.

Mrs Dombrowsky: So you were a trustee until 1997 and then you were elected to council in 1997, and it has that you served there to the year 2000. Do you continue to serve in the role of councillor?

Ms Schreiber: No.

Mrs Dombrowsky: I see. Very good.

Before I had this role I was a school board trustee, so I certainly do appreciate the opportunity that role provides to understand the development of children and when it is best and most appropriate to assist families and youngsters and provide supports to them. You did make an interesting comment related to your understanding and

your experience in this regard and your concern about when the dollars have shrunk over the years there was a need for more community intervention and partnerships. Do you have an opinion on the fact that when we are talking about our children, the most precious resource that any society has, our young people, that the investments that have been directed toward our most precious resource have shrunk? Do you have an opinion on that?

Ms Schreiber: I think that they've shifted a little bit. Certainly my experience in Halton is maybe different than other areas, because our experience there has been very positive over the last few years with the—I forget what the dollars were called but I think they came from Health and Welfare Canada.

Mrs Dombrowsky: They were federal dollars, yes.

Ms Schreiber: We've been able to really maximize those dollars in terms of doing preventive programs with the children. As the school board certainly struggled over the years after Bill 82, I think it was—I've lost track of my bill numbers—when special-education students were all integrated, that added challenges for the educators. As it is related to early years, we've been fairly fortunate so far in Halton and in fact have performed quite well in some pilot projects. I don't know if I can answer your question any better than that.

Mrs Dombrowsky: I was only making reference to your statement that dollars have shrunk. I wanted you to perhaps indicate the areas where you noted that and if you had an opinion on the fact that there had been in fact a deinvestment in our most precious resource.

Ms Schreiber: Again, I go back to the integration of special education students. That's what created the challenge. As we got more and more needy children in the system, the dollars weren't available to meet their medical, psychosocial, whatever, those sorts of needs they were presenting at the time. That's why SEACs became very important to school boards, to advocate on behalf of those children.

Mrs Dombrowsky: You do understand that in your role on the steering committee you will be making recommendations about how provincial funds should be spent within communities. Are there any particular programs that you personally believe should be priorities for your community?

1030

Ms Schreiber: Not specifically as they relate to the early years. Our expertise and research tell us we need to pour more resources into it and build those partnerships, but I don't know that a needs assessment has been done in Halton per se. I'm really happy with what we've done with the Healthy Babies, Healthy Children dollars, in terms of helping moms right from the beginning and the outset, for nurturing and breast-feeding programs, those sorts of things. But beyond that, I can't tell you off the top of my head what a needs assessment would show.

Mrs Dombrowsky: Are you familiar with the Early Years study, the McCain-Mustard report?

Ms Schreiber: Yes.

Mrs Dombrowsky: You're familiar, then, with family parenting centres and the role they would have within a community?

Ms Schreiber: Yes.

Mrs Dombrowsky: Are you familiar with the report from Campaign 2000?

Ms Schreiber: No. I've heard of it, but I'm not that familiar with it yet, to be honest.

Mrs Dombrowsky: Is homelessness an issue in your community?

Ms Schreiber: The social planning council has identified housing as a priority issue in Halton, yes.

Mrs Dombrowsky: Is child poverty an issue in your community?

Ms Schreiber: There are pockets of fairly severe poverty, in my opinion, in Halton.

Mrs Dombrowsky: Do you believe that, as part of your role on the steering committee, those are issues you need to deal with?

Ms Schreiber: Yes. There are community groups already looking at those issues, and we're quite pleased with that.

Mrs Dombrowsky: I know my colleague has some questions.

Mr Gerretsen: Just so I understand it correctly, did you run in the 2000 municipal election?

Ms Schreiber: Yes, sir.

Mr Gerretsen: And were you defeated?

Ms Schreiber: Yes.

Mr Gerretsen: I believe you stated earlier that what brings you back into this is the fact that you believe in services for children.

Ms Schreiber: I never really left that volunteer element.

Mr Gerretsen: Right, and that's very commendable. Do you think it's a positive move by the province to claw back the child tax credit for families on social assistance?

Ms Schreiber: I'm afraid I'm not very familiar with that.

Mr Gerretsen: Families are getting less money, as a result, than they would be getting if the child tax credit were, in effect, given to families for their use and hopefully for the use of their children. Do you not believe that families who are on social assistance having less money than they would have if the child tax credit was not clawed back is detrimental to the children in those families?

Ms Schreiber: I've heard that and read that; however, the information I received when I was a councillor was that money was being used by the regional government in the way they felt was quite appropriate, so I'm afraid I don't really have a personal opinion.

Mr Gerretsen: Was that money used by the regional government? You were a regional councillor at the time.

Ms Schreiber: Yes, it was.

Mr Gerretsen: In what kind of programs?

Ms Schreiber: It was put into programs in the community for children. We have child-parent centres, we

have drop-in centres for moms, breast-feeding programs, other things like that.

Mr Gerretsen: So it's your understanding that money in effect was used by the government and delivered over to local governments so they could run programs.

Ms Schreiber: That's my understanding. I certainly stand to be corrected if that's not correct, but that's my understanding, that it was redirected dollars.

Mr Gerretsen: Let me ask you something else. Do you think it's a positive move for children's services for the ministry responsible for children's services no longer to be a separate ministry, as it was until just recently?

Ms Schreiber: Years ago I certainly advocated on behalf of there being a ministry of the child. We went even further than having a children's secretariat in our advocacy for children. But I don't know what the Premier's reasons for doing that would be at this time.

Mr Gerretsen: You may recall that when the ministry was first set up, which I believe was about two years or so ago, the government lauded this as a great positive move, that it was going to place a much greater emphasis on the needs of children. By the ministry disappearing, would it not lead you to believe that they've either changed their mind or whatever they said two years ago was just window dressing?

Ms Schreiber: I hope not, and I hope these committees are a signal to the community that the government, regardless of who it is, cares about children and families.

Mr Gerretsen: You're familiar with the fact that the McCain-Mustard report recommended a separate ministry for children's services?

Ms Schreiber: Yes.

Mr Gerretsen: And that the government's not following up on that.

Ms Schreiber: I would support a ministry for children, but I don't know—

Mr Gerretsen: You would still support that?

Ms Schreiber: Yes.

Mr Gerretsen: And you would advocate that?

Ms Schreiber: Yes.

Mr Gerretsen: Because you seem to have some very powerful friends in powerful positions in this government, from just reading your resumé etc. You would advocate that strongly?

Ms Schreiber: I believe in a ministry for children, yes, as a mother and a person in our community.

Mr Gerretsen: Do you believe that the downloading of some of the provincially paid-for services to the local level and to the regional level has helped or hurt children's services that are delivered at the regional level?

Ms Schreiber: In Halton, a lot of our children's services programs are in fact paid for 100% by the province, so I'm afraid I don't have experience with what you just said.

Mr Gerretsen: Well, if that's the case, I hope you will put in a good word for eastern Ontario, because we could use 100% paid-for provincial services as well when

it relates to children's services. Will you do that on behalf of the children of eastern Ontario?

Ms Schreiber: Sure.

Mr Gerretsen: Thank you very much.

The Vice-Chair: Thank you. That concludes the—oh, excuse me. Mr Martin.

Mr Martin: I know you didn't see me a few minutes ago in terms of my being here—

The Vice-Chair: I have a big jug of water in front of me. Mr Martin, please.

Mr Martin: I want to be as straight up and honest as I can with you on this. There are some concerns out there being raised by people in the field delivering programs at the moment, struggling to try and meet all the needs that they see, who are fairly cynical of setting up a whole new structure to enter into an area that they're already trying to serve.

I was at a press conference about a week and a half ago where the Campaign 2000 people, the Toronto chapter of that, indicated that we now have one in three children in Toronto living in poverty. In fact, some of the background material that was provided to us here this morning indicates that during the Fraser Mustard-McCain consultations, a number of people raised the issue that a family that doesn't have a place to live is not going to be able to provide a stable home environment for their children. This message was reinforced by provincial children's services organizations that spoke of their member agencies seeing more children who are going hungry, children who have to be taken into care of children's aid society because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence. We've got a problem out there, a huge problem.

My colleague from Kingston mentioned a few minutes ago the initiative of this government to claw back the national child tax benefit supplement, which averages something between \$80 and \$100, depending on your income per month per child to top up and give you a little bit of money to maybe buy extra nutritious food or to pay the rent if that's becoming a problem as inflation takes hold, and that in fact that money is being clawed back from any family on provincial assistance, whether that's the Ontario Works program or the Ontarians with disabilities support program. It's being taken away. And you're right in fact that some of that money is being used to provide other programs, such as the Healthy Babies program.

My view is that the government should be using some of this money they're getting from the federal government, which is substantial—just under \$1 million over a two- or three-year period—to actually be providing those programs as opposed to taking money away from the very poor who need it to feed themselves, and that the \$1 billion in surplus that was announced in last year's budget and the \$4 billion that is being projected by way of tax break in this budget and the subsequent budget could be used to feed hungry children.

Given that there are concerns out there by some folks that this is going to be nothing but a public relations exercise by the government to send out a message that they are caring, when in fact the reality is showing as different, how do you see yourself in any way being helpful or responding or dealing with that once you're appointed to this committee in your jurisdiction?

Ms Schreiber: I honestly don't envision the committee as being public policy-makers. I wish I had that authority, but I don't anymore. But I think it is an opportunity—I served on a committee, in fact chaired one of the first multisector committees in Halton for children's services, recreation, leisure, those sorts of things, and we found that the partnering, multi-sector approach was really useful and beneficial.

Halton, again, may be unique in that we are a relatively wealthy community with lots of business opportunities for partnering. But I think the role of these committees and the role of any of us who are child advocates is to ensure that people come to understand the issues that are important to families. So while I may not be in a position to affect tax law, I certainly hope that I can advance the position and plight of children in our society by continuing my involvement.

Mr Martin: This government almost consistently and in every initiative where poor people are concerned has actually divided the poor into two groups: the deserving and the undeserving. The deserving are those who are able to get off the system and get out there and get a job, whether it be minimum wage, part-time or whatever. It doesn't matter the circumstance. As long as they get off the system, then there's a little bit of assistance for them. But if you stay on the system for all the reasons that people get locked into that, you're punished by way of, for example, the clawback of the child tax benefit supplement and other things.

1040

Would it be your personal view—I think it's important, for people who come to these committees and work on these committees, that we understand what their position would be—that there are two groups of poor people out there, those who want to get off the system and work, and those who just don't and therefore they should be punished?

Ms Schreiber: I live across the street from one of the large pockets of poverty in Aldershot in Burlington and I don't know that there are people who don't want to get off, quite honestly. The people who live there are very proud, and the reason they're locked in has to do in many cases with their children. I'm hopeful these types of programs will be enabling programs for those families to move on and put smiles on their faces. I think you're characterizing it in a way that's different than my personal experience with the impoverished in my community.

Mr Martin: I agree with you. I'm sharing with you my experience of what's happening to people who are coming to my office, who are being advocated on behalf of by groups such as the Campaign 2000 group, that in

fact poverty is increasing, that people are becoming more and more impoverished, that the breadth and the depth of it is alarming, and that the initiatives of this government aren't relieving, even though, as they say, the economy is better, they're creating more jobs and they're pushing more people off of welfare. But we still have a growing problem of poverty in the province. My hope is that people like yourself, who obviously are going to have some influence once appointed to this board, will advocate with the rest of us that we shouldn't be demonizing or vilifying anybody in poverty, that we should be trying to help them to help themselves, to help their children and to get on with their lives.

I note in your resumé that some of your training is in the area of criminology. I hope that isn't indicating in any way your view, and I don't think it is from what you've shared with me so far. But I have to tell you that this government has been very effective in putting those they target as a problem, such as the poor, such as unions, such as civil servants, into a bag, shaking them up and then rolling them out and presenting them as somehow of a criminal element. I don't know what your view on that is, but certainly it's not my opinion anyway that anybody on assistance is a criminal. That wouldn't be your experience, would it?

Ms Schreiber: No.

Mr Martin: OK. There are lots of challenges out there. As I said, when I was at this press conference a week and a half ago with the Toronto chapter of Campaign 2000, their biggest plea to the government was to give those organizations already out there trying to do a job the resources they need to actually do that job. They were saying that, for example, the new municipality of Toronto, which delivers a lot of children's services for this community, is in desperate need of more resources to actually reach out and help the many people they see coming to them, or living in communities they serve as having difficulty, and that your group in an advisory capacity would advise the government to make a choice between giving more tax breaks and actually providing the money that they're getting to these kinds of programs so that we don't have children in poverty in this province.

Ms Schreiber: Is that a question?

Mr Martin: No.

The Vice-Chair: Is that it, Mr Martin?

Mr Martin: Yes.

The Vice-Chair: Thank you, Ms Schreiber. We'll deal with concurrence at the end of the meeting.

Ms Schreiber: Thank you very much.

DAVID HOULAHAN

Review of intended appointment, selected by official opposition party: David Houlahan, intended appointee as member, the Early Years Steering Committee of the Leeds, Grenville and Lanark District Health Unit.

The Vice-Chair: It's my understanding that Mr Houlahan is present, if you'd join us at the table. You are given an opportunity to address the committee and make

some comments, after which we will have a little question-and-answer period. Make yourself comfortable, and welcome.

I should just point out for the record that you're the intended appointee as a member of the Early Years Steering Committee of the Leeds, Grenville and Lanark District Health Unit.

Mr David Houlahan: Correct. Good morning, Mr Chair and members of the committee. I wish to thank you in advance for this opportunity to be with you here this morning. I'd like to take this time to give you a brief background of myself with respect to being considered for the appointment to the Early Years Steering Committee of Leeds, Grenville and Lanark District Health Unit.

I'm a resident of Montague township in the county of Lanark. I'm an owner of a business in the town of Smiths Falls. As the parent of two children ages five and seven and an active member of my community, I feel I have a direct connection to the local needs of children. As a business owner for the past 14 years, in the insurance industry, I've worked with families from every walk of life and in all areas of the tricounty.

My appreciation of the socio-economic framework in this area is real. As an insurance agent, I've utilized my company's resources to provide education materials to daycares, schools and community initiatives regarding fire and bike safety. I've been able to provide support to local fire departments, health initiatives such as Healthy Babies, Healthy Children, preschool speech, parish works and community service projects.

As a parent, I've been actively involved with agencies for daycare, education and recreation and religious training for my children. I am certainly aware of the issues facing rural families today—in our area, transportation and daycare spaces.

As a member of different organizations, I've participated in organizing special events as a leader of workshops, seminars and as a teacher of course curriculum.

My interest in the steering committee is twofold. First, I feel that the steering committee will have a significant role in our community in increasing availability for programs to children and families.

Second, on a personal note, my oldest daughter, now seven, experienced the benefits of early intervention for which I'm now a strong advocate and that's the reason why I've applied to be on the steering committee. Weak muscle tone and a low threshold to sound presented a number of challenges for her in activities with her peers and family. Through my involvement in my community I knew how to access occupational therapy for my daughter.

At three and a half, first privately and then through our local community care access centre, she received programming from an occupational therapist and has been able to increase her muscle tone to a level of that of her peers. As she has learned strategies to cope with noisy and busy environments, this has allowed her to focus on

learning. Now she excels in academics and I'm proud to say she's in the top 5% of her class.

Ladies and gentlemen, early intervention does work. It is this personal experience above all that drives my application for membership on The Early Years Steering Committee of Leeds, Grenville and Lanark. It is this, in conjunction with my business and volunteer experiences, that contributes the skills, knowledge and vision that I can bring to such a position. I thank you for your attention this morning and look forward to any questions you might have.

The Vice-Chair: We will begin our questioning with the official opposition.

Mrs Dombrowsky: Good morning, Mr Houlahan. You have indicated in your remarks that you are aware of issues that are challenges for families with children in your particular part of Ontario, and you did name transportation and daycare spaces. Could you elaborate, particularly with regard to daycare?

Mr Houlahan: No problem. In terms of spaces in daycare, there are limits and there are waiting lists. We all know that.

Mrs Dombrowsky: Do you think that's acceptable?

Mr Houlahan: Is it acceptable? No. But why is it not acceptable, would be my next question.

1050

In certain areas, due to population limitations—in our rural area, our biggest hurdle to accessible daycare goes back to the transportation issue. We are a very spread-out community in the tri-county. I believe even in your riding—you have North Frontenac, right?

Mrs Dombrowsky: Yes.

Mr Houlahan: So you know what I'm talking about.

Mrs Dombrowsky: I sure do.

Mr Houlahan: There's a great distance between communities. Because of that, it's hard to establish daycare facilities that are going to allow parents to take their kids there or whatever. What I would like to see, for example, is maybe resource centres where parents can take children for not only daycare but educational programs, parenting programs. I feel a community of, let's say anywhere from 50 to 200, in that area, can develop that; that's what I mean by access to daycare facilities.

Mrs Dombrowsky: I guess I'm a little confused, because even if there are parenting centres, in rural Ontario transportation continues to be an issue; it's a matter of getting from home to the centre.

With regard to daycare spaces, do you believe the government should have some role in ensuring that there are adequate numbers of regulated spaces within communities throughout Ontario, both in rural and urban centres?

Mr Houlahan: The need is there for daycares, but there should be a choice for parents if they want to put their children through that kind of program. With the steering committee, I believe our focus should be on the early development of a child no matter where that child is placed, whether it be in a home or a daycare setting.

Mrs Dombrowsky: I wouldn't disagree with that. But the issue continues to be the fact that there are not enough spaces available for people who need them. Accessibility and affordability are two of the most serious issues that relate to daycare. My question to you again would be, do you think the government has some responsibility to ensure that families and children have access to this very important service within their community?

Mr Houlahan: I think the government does play a role, but I believe it is the community initiatives that should dictate on daycare spaces.

Mrs Dombrowsky: The Mustard-McCain report very clearly indicates that what families contribute to the early development of their children is very important. Since 1995, since this government took office, there has been a reduction in social assistance for families in need of that. That has had a direct impact on children in the province. We have seen the number of homeless families increase because families no longer can afford to pay their accommodation costs. We know there are more children living in poverty and more children frequenting food banks. Do you think this policy has had a very serious and negative impact on the early development of children in Ontario?

Mr Houlahan: I'd have to say that poverty is an issue, no question about that. Any poverty is a tragedy. I also think we have to look at other developmental things for children, whether the child is involved in an abusive home, is there a literacy program for that child? Within the report too, my reading of it is that these developmental factors could go across all socio-economic situations, not just the poor.

Mrs Dombrowsky: Are you suggesting we not pay attention to the issue of poverty within communities?

Mr Houlahan: On the contrary. I think that issue should be addressed, as well as others.

Mrs Dombrowsky: Glad to hear that. One last question: are you familiar with the report of Campaign 2000 that deals specifically with poverty?

Mr Houlahan: I've heard of it; I've not read it, no.

Mrs Dombrowsky: Would you be going to that?

Mr Houlahan: I would be interested in reading it if I'm appointed to this committee. That would be one thing I hope our committee in our tri-county would have access to and review it.

Mrs Dombrowsky: I think you should.

Mr Gerretsen: First of all, thank you for appearing. Undoubtedly, you are very passionate about the issues relating to children. Let me also congratulate you on a statement of experience that actually says something in written form rather than in the point form that we so frequently get and doesn't really say anything.

I'm somewhat confused though, I'll be honest with you. It seems to me that there seems to be a reluctance on your behalf, on behalf of other candidates who have come before us who are going on these various steering committees, to admit to the fact that there are an awful lot of people on social assistance or in extremely poor

situations who, in effect, are getting less assistance now than they did in 1995. And there seems to be a total reluctance to sort of say, "Well, it's wrong," and they really don't think this is affecting the kids somehow. That, to me, seems like a preposterous situation. Basically we've cut people back from welfare, from—I don't know—\$1,200 to \$900 per month for families with children, and there's an unwillingness to say, "Yeah, that really affects those kids." Regardless of what side of the political fence you're on—left or right—surely to goodness the fact that a lot of these families are getting less money now than they did before is going to affect the availability of the resources that are there for the family. Would you not at least agree with that?

Mr Houlahan: I would say, yes, that is a factor.

Mr Gerretsen: Well, you're very honest then, because many of the people who come—

Mr Houlahan: I'll say one thing: I agree it's a factor, but I think we cannot pigeonhole ourselves into saying this is one area and now let's beat this one, OK? I think that when one looks at the development of a child, one has to look, in this particular committee, from zero to six. That's a huge gamut of development. We're talking about programs, for example, about why mothers shouldn't smoke. You have fetal alcohol syndrome. Before the child is out of the womb, you've got problems, OK? Those need to be addressed too. I'm not diminishing the concept of poverty, but I think there are a lot of other issues on the table, too, which we all have to address.

Mr Gerretsen: Absolutely, sir, I couldn't agree more.

In looking at your CV, you almost seem to have the same kind of work experience the Premier has. You taught for a year as a supply teacher, and, I think, so did the Premier. Then you decided to go into better fields. Do you sort of emulate the Premier in his career, and are you a golfer? That's what I want to know. I'm serious: why did you leave the teaching profession?

Mr Houlahan: Why did I leave the teaching profession? I actually was in the insurance arena, and in our community there was a shortage of supply teachers at that time. I put my name forward to help out that particular rural school.

Mr Gerretsen: Oh, I see. So it was never your intention to become a teacher on a full-time basis?

Mr Houlahan: No, no.

Mr Gerretsen: OK. Well, that's—

Mr Houlahan: But I enjoyed my experience, what I did in the classroom.

Mr Gerretsen: I'll ask you the same question I asked a previous witness in the other hearing: with great fanfare the government announced a couple of years ago that it was going to have a minister for children's services, and I was hopeful, as were many other people, that the government was really going to place a larger emphasis on children with having a ministry set aside to deal just with that issue. Now it has sort of disappeared. It's been rolled back into Community and Social Services. Would you agree with me that that's a negative move, if in nothing

else, at least in the perception that is being created out there?

Mr Houlahan: I can't speak to why the Premier would have eliminated that position and rolled it into one, which I believe is the Ministry of Community and Social Services. I will say this much: as a result of that, I think our committee has an even more important role to advocate for child services.

Mr Gerretsen: The final question I have deals with the federal child tax credit situation, which of course is not available or has been clawed back from people, for families on social assistance. Do you think that's a proper thing to do? I know the money goes into other organizations that are using it, etc, such as the healthy babies initiative. But to me it almost seems as if those initiatives are, in effect, being paid for by the people who are no longer getting the money the federal government feels they're entitled to. What do you think should be done in that particular situation? Should the province do the right thing—in my opinion, anyway—and give the child tax credit, pass it through directly to the families, or not? Do you have any views on that? Take a stand.

Mr Houlahan: My information on it is limited, OK? My feeling is, as I said before, that we have to look at the whole issue, not only just for the poor but all aspects of the socio-economic realms in the province. We're here to help everybody, not just some few people.

Mr Gerretsen: Well, that's a little disappointing, I must say, but good luck anyway.

The Vice-Chair: Thank you, Mr Gerretsen. We'll now move to the third party.

Mr Martin: I guess I'm a little disappointed to hear you bob and weave where the issue of poverty and children is concerned and the issue that there's a bigger—in my view, there's nothing more challenging right now than the issue of families in poverty and the question of how those children participate in the programs they need to better themselves and become like you and I, participating members of the communities in which we live.

1100

Let me very briefly talk to you about Campaign 2000. In 1989, in the federal Legislature, all parties unanimously approved a resolution that child poverty should be wiped out in Canada by the year 2000. Canada is a rich jurisdiction. Ontario is a rich jurisdiction with lots of money. We're giving tax breaks by the billions to all kinds of people in our province, and yet here we are into 2000-01 and where child poverty was one in 10 in 1989, it's now one in five across Canada, and in Toronto alone according to Campaign 2000, which was established in 1989 to keep the government's feet to the fire on this issue and to make sure they actually achieved the goal they set for themselves, we now have one in three children living in poverty. It doesn't matter which cut-off you use, that's the circumstance.

It seems to me that if you have that number—I think we're talking about 471,000-plus children living in poverty—it's a huge difficulty in a jurisdiction such as

ours where, as the government claims, we have had unparalleled economic development, have done a great job of creating jobs, have knocked all kinds of people off the welfare rolls, and yet poverty is growing at a speed and a level that is unparalleled. Do you have any thoughts on the impact of social policy on early childhood development?

Mr Houlahan: I can't speak for the Toronto area. I have looked at our area. I think what we have to do is take a needs assessment for our area, and if those are a concern from the community, they should be addressed through our committee.

Mr Martin: It's a fact, and it was mentioned by both Mr Gerretsen and myself this morning already, that the provincial government has in its wisdom chosen to, and this is an issue of social policy, and take away any contribution the federal government—to give it credit, although it is also culpable in this if you look into it further, in delivering a national child tax benefit supplement to all low-income families across this country, but it didn't limit provinces from actually clawing that money back from families on social assistance or on the Ontarians with disabilities support program. That's in fact what they're doing. They're taking between \$80 and \$100 per child per month away from some of our most vulnerable and at-risk families. That could be used to feed some children before they go to school so they could learn and participate in some of this early childhood.

If you had a chance to talk to the government about that through your involvement in this committee, what would your position on that be?

Mr Houlahan: I think we have to address that issue. As well, as I said before, we have to address the broader spectrum of child development. I think we have to look at all avenues, and if the community feels through their presentations to us—then it's our obligation to put that forward to the government.

Mr Martin: But you wouldn't be driven in any particular—given, I note particularly, your very active faith connection, and it's the same faith I belong to and the social gospels that I hear about in church on Sunday and that I look at in time of reflection myself, you wouldn't bring any sort of personal commitment to that task? As a member, you would wait for the community to indicate to you whether it was a priority or not?

Mr Houlahan: I have to speak for the community. If the community wishes to address those issues of, say, breakfast programs etc and they are presenting these proposals to us to take to the government, I would strongly support that.

Mr Martin: But you yourself won't take any personal responsibility—

Mr Houlahan: I would be one of 10 members. We have to listen to what the people in our community are telling us they want to see funded.

Mr Martin: Thank you.

The Vice-Chair: Is that it, sir? Thank you, Mr Martin. The government—we started with the government, so I guess we're all set.

Mr Gerretsen: I would like the government members to ask the witness some questions.

The Vice-Chair: I think I'm one click behind on my little list here. Anyway, to the government side.

Mr Wood: We'll waive our time.

The Vice-Chair: Thank you, Mr Houlahan.

Mr Wood: I move concurrence in the intended appointment of Ms Schreiber.

The Vice-Chair: Concurrence has been moved. Is there any discussion?

Mr Gerretsen: Recorded vote, please.

Ayes

Johnson, Kells, Martin, Spina, Wood.

Nays

Dombrowsky, Gerretsen.

The Vice-Chair: The motion is passed.

Mr Wood: I move concurrence re Mr Houlahan.

The Vice-Chair: Concurrence has been moved. Any discussion?

Mr Martin: We've had a number of people before us over the last few weeks as appointees to these new advisory committees on early childhood initiated by this government. In most instances, after we've at least shared, in the small amount of time that we have, the concern on this side of the floor that is out there re the question of poverty, we've had the members seeking appointment identify with that and say, yes, they would take some personal interest and give some leadership and be concerned about that. But I have to say I was disappointed that this person wasn't willing to identify that as something he would be willing to take some personal leadership on or look into and would simply wait until it bubbled up from the community. I would suggest that it's already bubbling up. I don't know a community in this province right now that isn't seeing and hearing and feeling the very difficult effects of some of the social policy initiatives of this government and how they play out in the lives of some of our most at-risk families and vulnerable children. So this morning I can't support this appointment, given my sense that there was no real personal interest shown in this particular subject at this time.

Mr Gerretsen: Far be it from me to disagree with Mr Martin, with whom I agree almost 100% of the time particularly when it deals with social issues. I believe in his sense of compassion and in his sense of fair play and justice for those who are disadvantaged in our society. I share some of the views that he has as well with respect to the leadership role that Mr Houlahan didn't seem to be willing to take. On the other hand, I must admit that I was very impressed with Mr Houlahan's CV. Obviously he has done an awful lot of community work. I was particularly impressed with the fact that he has experienced

at first hand, through the work with his daughter, the tremendous need there is for early intervention.

I will reluctantly support his nomination because I think that he does bring something to the table. Hopefully, once he is on this committee, he will see the tremendous need there is out there, particularly in the tri-county area, which is basically a rural part of the province that has great needs etc, and he will take that leadership role. Something tells me deep inside that he will do so. So I will be supporting his nomination.

Mr Spina: I agree with what Mr Gerretsen has said. The history that Mr Houlahan brought forward with respect to his personal experience I thought would have answered the questions that Mr Martin had asked. He does take a personal feeling and has direct experience in realizing the importance of early childhood issues.

I think there is an opportunity and I think that's one of the reasons he wanted to be on this steering committee, to do exactly what Mr Martin said. Why he didn't answer his question I suspect is because it may have been more politically motivated in terms of the way Mr Martin's question was structured. But I believe Mr Gerretsen and I both feel that Mr Houlahan does have a very sincere role

in contributing to the steering committee. That's the reason we didn't ask a whole lot of questions. We understand what Mr Houlahan's background is and what his intention, his contribution will likely be, so we will be very much supportive.

The Vice-Chair: Thank you. Any further discussion?

Mr Johnson: I'd like a recorded vote, because I want to go by John's deep inside instincts.

Ayes

Gerretsen, Johnson, Kells, Spina, Wood.

Nays

Dombrowsky, Martin.

The Vice-Chair: Thank you. That is carried. Is there any further business before the committee?

Mr Wood: I move adjournment of the committee.

The Vice-Chair: Adjournment has been moved. The next meeting will be 10 am, May 16.

The committee adjourned at 1111.

CONTENTS

Wednesday 9 May 2001

Subcommittee reports	A-23
Intended appointments	A-23
Mr John Lacey	A-23
Mr Robert Anderson	A-26
Ms Lynda Schreiber	A-29
Mr David Houlahan	A-33

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr John Gerretsen (Kingston and the Islands / Kingston et les îles L)

Mr Joseph Spina (Brampton Centre / -Centre PC)

Also taking part / Autres participants et participantes

Mr Andy Brandt, chair, Liquor Control Board of Ontario

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer, Research and Information Services

CA 6 ON
XG19
652

1180-4335

A-4



A-4

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 16 May 2001

Journal des débats (Hansard)

Mercredi 16 mai 2001

**Standing committee on
government agencies**

Subcommittee report

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapport du sous-comité

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 16 May 2001

Mercredi 16 mai 2001

The committee met at 1003 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I think we've got a sufficient number of members now to begin our committee. I want to thank the Vice-Chair for his fine work last week.

Mr Bruce Crozier (Essex): I've learned from someone I admire.

The Chair: The first item before us is the report of the subcommittee on committee business dated Thursday, May 10, 2001.

Mr Bob Wood (London West): I move its adoption.

The Chair: All in favour? Opposed? The motion is carried.

Mr Wood: Mr Chair, before we get totally off that item, I'd like to draw to the attention of the committee that we have some 18 designations and we are not likely, at the rate of one every half-hour, to get through all those in the time period allocated. I don't mind extending for a week because we are not going to sit during constituency week. We may have to reduce the amount of time if we are going to get through all those designations within the time period allocated.

The Chair: That is one option, certainly. Another option is that the committee would sit in the intersession, presuming the House is not sitting itself in July and August.

Mr Wood: I would point out to the Chair and to the committee that we are not prepared to give indefinite extensions to the time required to do these designations. We're prepared to extend for a week because of constituency week. We are not prepared to give further extensions.

The Chair: Any comments?

Mr Crozier: I'm a bit disappointed the suggestion would be given to have less time to interview these intended appointees. If this system is truly going to be accountable, I think we should be given that opportunity. Anything less than a half-hour—it ends up being 10 minutes per caucus. That's not a lot of time. If these appointments are treated seriously, and we think they are and we think the government members should think that way as well, to lessen the time takes away from the importance of this whole process.

We're paid to do this job whether we sit in the intersession or not. We like to tell people that we work at this job 365 days a year. Let's indicate in fact that we do that. The most important point I want to make is that we should have the opportunity to interview the intended appointees we choose.

Mr Wood: The rules, quite rightly, don't restrict any of the parties in terms of the number of designations. They do, however, restrict the time available in which these people can be reviewed. I'm drawing to the attention of the committee that with the number of designations it is not going to be possible, within the time allocated, to get through the number of designations unless we reduce the amount of time.

I'm entirely in the hands of the other two parties as to how many they want to designate. If they're going to make a large number of designations, they have to recognize that we can't get through all of them unless we reduce the time allocated. I'm quite in the hands of the committee whether they want to reduce the time or not. I'm really drawing to the attention of the committee that we have a problem.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Instead of reducing the time, would it be possible to begin the sessions earlier?

Mr Wood: No.

Mr Crozier: Why not? Just because you don't want to?

Mr Wood: The standing orders give us I think totally ample time, which is two hours a week, to deal with these. If there are a larger number of designations, they permit the committee to reduce the amount of time allocated. It's up to the committee as a whole. I'm quite happy to do a large number of interviews, but we are going to have to reduce the time if we are going to have a large number of designations.

Mr Crozier: I would think there's some way the committee could look at extending the time, notwithstanding what the standing orders say. Do we ask permission of House leaders, which we are not likely to get from the government House leader? Do we decide that we sit longer as Ms Dombrowsky has suggested? Can we sit more often? I just see it, from what Mr Wood is saying, as a veiled threat, saying, "You guys are choosing too many and you'd better be careful or we won't get to see all of them." This committee should have every opportunity. I'm sorry the committee can't interview every intended appointee.

Mr Wood: That's up to the opposition.

The Chair: Does any other member of the committee have any remarks in this regard? This is a matter that perhaps the subcommittee will be dealing with, because it does present a challenge for us, for the committee to be able to deal as committee members see fit with the intended appointees of the government. As I say, probably the subcommittee, the steering committee, would be able to perhaps resolve this.

1010

INTENDED APPOINTMENTS

JOHN ARNOTT

Review of intended appointment, selected by official opposition party: John Arnott, intended appointee as member, Early Years Steering Committee of the Leeds, Grenville and Lanark District Health Unit.

The Chair: Our first appointment this morning is Mr John Arnott, intended appointee as member, the Early Years Steering Committee of the Leeds, Grenville and Lanark District Health Unit.

Mr Arnott, as you may be aware, sir, you are permitted to provide an initial statement, and then each political party has up to 10 minutes to direct questions to you. Welcome to the committee.

Dr John Arnott: Good morning, Mr Chair, MPPs, honourable members, and ladies and gentlemen. To make a very brief opening statement, just to give you a brief background of my background, my education background is I have a BA from the University of Toronto and a doctorate in dental surgery from the University of Toronto in 1969. My community service and volunteer activities have been of fair scope since I started in practice in 1969.

Specifically, as they relate to children's services and children's activities, I was a core member of the school committee for the French immersion program which was initiated in Leeds and Grenville in 1988. I was involved with that from 1988 to 1993. This involved the inception and development of this program at the elementary and secondary levels in Leeds and Grenville.

I was a member of the children's services advisory group of Leeds and Grenville on the committee for children and family services integration, which was a formative initiative that involved all the stakeholders in the tri-county area, with representation from Kingston and Frontenac. Its creation would have led to the model for this type of integration for the province for children's services. It was focused on primarily single-point entry for children and families and universal accessibility, universal availability, and affordability for all those in need. It was an MCSS ministry pilot project that was intended to bring child welfare in at the end; ie CAS. In my role in the children's aid society at that time, I felt that this was not really appropriate as child welfare really had at that point in time a great deal to learn and a great deal to contribute productively to the process and therefore to

be participating at the very beginning, being such a large player.

My board of director experience has run the gamut from the Brockville heart foundation, which is part of the Ontario heart foundation, from 1970 to 1972, to the Brockville Montessori School, where I was the founding chairman of the board in 1976 and then continued as a member of the board and as chairman for several years until 1989.

I was a member of the city of Brockville museum board of management from 1988 until the present and chairman of that board from 1990 to 1992 and from 1994 to the year 2000.

I was a member of the children's aid society of Brockville and the united counties of Leeds and Grenville from 1972 to 1993; chairman of that board in 1976-77, 1984-86 and 1991-94.

I was on the founding board of the unified child and family services agency of Leeds and Grenville as a board member from 1994 to 1995. I was asked to submit my name for consideration as a board member in that agency, given my lengthy and in-depth experience in community child welfare and other children's issues and services that I've mentioned already.

I was a member of the Rideau Valley District Health Council from June 1996 until its closure and transformation in 1997. I've been a member of the South-eastern Ontario District Health Council from 1998 until the present date. I requested to join these two agencies due to a keen interest in preparing for the escalating demand for health care services that is just now beginning to accelerate. Adaptations to this increasing demand and making improvements in service delivery are a challenge to communities to ensure that they reflect the needs in their communities and that they build in the flexibility and quick response mechanisms to adapt to an ever-changing composition in their populations.

The same old, same old approaches to those services and to children's services just don't work in today's flexible and mobile environment. This early years initiative is a vital part of that process, as one of the major bonuses of a healthy, strong beginning is a healthy lifestyle and a capacity for healthy choices. We owe that to our future generations.

It has always been my policy to think globally on these issues and to participate and act locally as enthusiastically as possible. If we can make changes in what is currently the norm, those changes are really easily sustainable. The difficult challenge is to actually make the changes. A good example is immunization, measles. Measles used to be considered just a consequence of childhood. Now, if there's a case of measles, it is front-page news.

To sum up, really, my position, I'll just read one small passage which I think is critical in the context of the early years initiative, and that is: "Children ensure a society goes on and the quality of that society. Societies and governments" and communities "have an obligation to the future to devise systems that ensure effective

parenting," systems that "support good early child development," and systems that "take into account socio-economic factors associated with a changing economy and the increasing participation of women in the labour force."

My credo has always been, rather than to simply look at things that are and ask why, to perhaps look at things that might be and ask, why not?

The Chair: Thank you very much, sir. We will start our questioning with the official opposition.

Mrs Dombrowsky: Good morning, Dr Arnott. Thank you very much for coming this morning to share a little bit of your understanding of your role as a member of the Early Years Steering Committee and what that will involve. You are familiar of course with the Challenge Fund initiative, which basically gave birth to the Early Years Steering Committees within communities.

I was wondering if you could just share a little bit of your understanding of your role, the kinds of programs that you would be considering and encouraging to be established or supported within your community.

Dr Arnott: The first challenge, I think, of an Early Years Steering Committee in any area in the province is going to be to, first of all, get an accurate inventory of the services and the resources that are there, to find out specifically where they're targeted now. As I mentioned in my opening remarks, the unified agency approach, which is really what an Early Years Steering Committee is, is pulling all these separate entities together at the moment, finding out how they're targeted, and ensuring that the targeting is perhaps more universal, more easily accessible, and also responding to the real education challenge that's there, which is to make it very acceptable and very attractive for parents and parent substitutes to ensure that they would willingly access what is available and what is being offered.

We have perhaps a perception now that the services that are out there are targeted specifically at disadvantaged and underprivileged and poor—

Mrs Dombrowsky: Who would have that opinion?

Dr Arnott: I think that's the general opinion of the population, that those services are targeted at families and children in need specifically and others don't need to be concerned with accessing their services. Whereas I think that expertise that's there—if you look at the early years challenge for our community and for every community, I think there's an opportunity to take advantage of perhaps elements that we take for granted and assume are present for young children, when in fact I think the data show specifically that those things aren't in a lot of cases. Yet we perhaps assume that they are.

I think the first step is to take an inventory and the second step is to ensure that there is a ready acceptance in the community for innovation, for whatever, in ensuring those programs are there.

Mrs Dombrowsky: Are you familiar with the \$114-million transfer from the federal government?

Dr Arnott: Yes, I've heard about that. I understand that it is occurring or has occurred.

Mrs Dombrowsky: It has occurred.

Dr Arnott: Has the money arrived?

Mrs Dombrowsky: The money was in the bank April 1, from the federal government. Are you aware that, previous to that transfer, there was \$30 million set aside for the challenge fund that was designated to support the early years initiative within the community? Are you aware, at least from what we've been able to gather with the information that has been presented publicly, that now that challenge fund will be supported with federal dollars and not provincial dollars?

Dr Arnott: I'm not aware of that, no.

Mrs Dombrowsky: You're not aware of that?

Dr Arnott: No, not specifically. From our community perspective, we haven't really reached the stage where we would be investigating the source of the other components apart from the—

Mrs Dombrowsky: I think it is very important information for you to have.

Dr Arnott: That will certainly be made available, and we'll be made well aware of it, I'm sure.

Mrs Dombrowsky: I'm very pleased to hear you make some statements about the importance you place on good early child development. You did make some reference to the new reality of the participation of women in the labour force. Maybe you could comment a little bit about the impact of that new reality, of the increase in the participation in the labour force. What do you see that has created in terms of need and demand within your community?

Dr Arnott: In our community we're probably pretty typical of most of the communities in Ontario. Children are children really, no matter where you go. In the context from the perspective of women, I think women's capacities, and parents' capacities, are stretched to the limit. My experience is that they all want to provide for their children a parenting environment and an environment in which their children can grow, develop and flourish.

Increasingly I think an awful lot of parents are very hard pressed. This initiative is an excellent opportunity for communities to identify within their own geographic areas, and they're really best suited to identify what those needs are, what supports parents and their families currently need regardless of what the socio-economic spectrum is and where that's shown to be not really that relevant a factor.

The importance of this program is to ensure that those supports are—as I was saying, they're currently perhaps more universally targeted than they should be, so I think the opportunity is there to provide support for single parents, whether it be male or female, and parents as a couple.

1020

Mrs Dombrowsky: Would you agree that the increase in the participation of women in the workforce has increased the need for quality child care within communities?

Dr Arnott: Given what's reported in the Early Years Study, I would say that probably there's a need for assistance there. I don't see how that additional workload for parents, both male and female, and the economic stresses have been an advantage. I don't see that as an advantage for children; otherwise I think we'd be seeing perhaps something different in children's growth and development than we're seeing at present. I think that probably addresses your question.

Mrs Dombrowsky: Just for clarification, are you suggesting then that there is a need for quality daycare?

Dr Arnott: Any kind of daycare should be quality daycare, whether it's provided by parents themselves, by mothers and fathers, by parents on-site, or whether it's off-site, outside what we have been accustomed to knowing as the nuclear family unit.

Yes, daycare of any kind should be quality daycare. That should be the objective. In individual communities, given the population of children and what the economic experience of the community is at that time, communities are in the best position to identify the resources that are there to suggest an enhancement or a differentiation of those resources, and to bring that forward through a mechanism like this to access the paired funding. Communities perhaps have a great deal of expertise in determining the most effective targeting of those resources. The challenge of course is going to be to convince community members that these are investment dollars in their future and that therefore there is an enhancement that that represents. So improved quality daycare should be the objective across the board.

Mrs Dombrowsky: That's interesting, because of the \$114 million that came from the federal government—this is new money the province didn't have before—not one red cent has been designated for daycare. Clearly the federal government, when it put aside this money—

Dr Arnott: Perhaps not yet, but I think that if there are initiatives that come forward from communities, it would address that.

Mrs Dombrowsky: Actually the minister was asked about it by daycare advocates. The minister indicated the government had to make some difficult choices, and their choice was that daycare would not be supported.

Dr Arnott: At present that might well be the case. As the steering committees are in place and do their work, if there's an identification in several areas that daycare enrichment and enhancement is an excellent vehicle whereby the growth and development of children can be improved, then I think there's an opportunity there to address funding in that direction and have it targeted by those community groups that are really best suited to identify where that money or those funds are best expended.

Mrs Dombrowsky: Dr Arnott, I am so encouraged to understand that would be your position with regard to providing quality daycare within communities. I am somewhat encouraged that in your role as a member of the steering committee, you might be prepared to further that cause within your community.

Dr Arnott: I don't think you can assume that daycare is the only option or is the best option. You have to consider what is the best option.

Mrs Dombrowsky: Yes, but right now it's not an option. With \$114 million that has been transferred, not a cent of it has been directed to support regulated daycare, even though the government cut regulated spaces by 15%.

Dr Arnott: Of course daycare is really contingent upon the level of expertise of the caregivers. We have a dearth of early childhood educators at the moment and early childhood educators have been shown—

Mrs Dombrowsky: Because they're not paid enough.

Dr Arnott: —to be very competent individuals. This has to be part of a several-pronged approach, not just simply the expenditure of dollars tossed in one direction or the other.

Mrs Dombrowsky: Not a lot tossed there.

Dr Arnott: That is why the early years initiative is an excellent example of how communities can fashion these instruments for their own benefit, and we respect their wisdom.

Mr Tony Martin (Sault Ste Marie): Good morning. I note in your resumé your involvement and membership in the Progressive Conservative association and the executive capacities you served in.

The concern we have in our caucus with this whole new organization that is being set up to give leadership in the area of early childhood is that the government is simply setting up a structure to support its initiatives and to move its agenda forward. Not that a government doesn't have the right to move its agenda forward, but it seems to me that if that agenda is not working out for a significant number of children in the province, then we have some difficulties.

I was heartened by what you said in your opening comments, that you are open to seeing what is out there and having seen it—

Dr Arnott: Absolutely necessary.

Mr Martin: —and in discussion with other members of the board to make the correct recommendations to try to resolve those issues.

From my own personal perspective and some of the work I've been doing over the last couple of months on the issue of poverty, particularly child poverty, and the fact that—this information was given to us by the very excellent legislative research we have here at Queen's Park. To suggest that this government early on in its mandate—as a matter of fact, it wasn't even in power a couple of months when it reduced social assistance rates by 21%, and it did away with rent protection by the Tenant Protection Act with basically what they call “vacancy control.”

These initiatives, coupled with the withdrawal by both the federal and provincial governments from social housing construction, have been heavily criticized by social activists and child care advocates who argue that the cuts have increased poverty in Ontario, as well as the numbers of people of living in marginal housing or in hostels.

Then the Early Years Study, which you quoted, and I'm going to give you another quote here, goes on to say:

"A family who does not have a place to live is not going to be able to provide a stable home environment for the children. This message was reinforced by provincial children's services organizations who spoke of their member agencies seeing more children who are going hungry, children who have been taken into care of children's aid because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence."

In the work I've been doing over this last short while, what we're told is that in the Toronto area, which is the economic hub or the industrial heartland of this province, we now have one in three children living in poverty. This is Campaign 2000, an organization that was set up to keep the feet of the federal government to the fire.

I've become aware of another piece of interesting political activity where the federal government, having decided it needed to take action on a commitment it made to reduce child poverty by the year 2000, introduced a supplement to the national child tax benefit that would go to all low-income families. That benefit, that supplement, is being clawed back from anybody in this province on assistance, whether that be Ontario Works or the ODSP.

1030

Dr Arnott: Where did the money go?

Mr Martin: Pardon?

Dr Arnott: Where did the clawback go?

Mr Martin: Well, 20% of it is staying in municipalities to provide for programs of a general nature, mostly available to families who've been able to find work and support themselves in that way; 80% is going back to the province. Some of that money is going into a child care program and some of it is going into general revenue, which supports whatever the government does, in my view.

Dr Arnott: So the bulk of it has been retargeted.

Mr Martin: But it is money that's taken out of the pockets of poor children.

Dr Arnott: To put back in; the majority of it is being put back in.

Mr Martin: But taken away from the majority—

Dr Arnott: Yes, but the majority is being put back in. That's the important thing.

Mr Martin: Yes, in a way that doesn't necessarily assist those families from whom it has been taken. You're taking money from poor children to give back to poor children. Does that make sense to you?

Dr Arnott: It's not just specifically taken from poor children to give back to poor children.

Mr Martin: It is. It's specifically taken from the most vulnerable and marginalized of our children to be given back to poor children. Is that good government policy?

Dr Arnott: If I understand what you're saying, it's a question of it being regionalized if you like; in other words, given back to people who are closer to the people who require the assistance and therefore probably I would think would be in a much better position to decide

how those funds should best be distributed in their own communities.

Mr Martin: What you're saying then is it's better for government to put in place programs for poor families than to leave it to poor families themselves to decide how to spend that money on behalf of their children?

Dr Arnott: No. I think the people who are closer to the people in need are probably in the best position to determine, in consultation obviously with the individuals in need, how those funds would be distributed.

Mr Martin: My view is—

Dr Arnott: I think it's more accurate targeting and finer targeting in our own community, for instance, to bring it to the local level. I think the individuals who live in our community and the leaders in our community certainly have an accurate sense of responsibility and an accurate sense of vision to know where the funds are most needed and, with the consultation in their own community, would perhaps produce a more effective distribution of those funds than from funds that are simply centrally administered by way of the cheque and assuming that every individual knows exactly how to spend that. That's really what those supports and resources are for in communities.

The Early Years Steering Committee's objective is to bring those needs and those resources together and propose means and plans and programs whereby there can be an enhancement of the effect of the dollars that are available for distribution in the community and that the communities contribute from within their own resources matching funds, which means they have an investment in those early years potentials rather than simply contributing to what amounts to remedial funds down the road to try and address situations that perhaps could have been prevented or certainly moderated considerably if the intervention and the assistance had been available earlier and more broadly distributed and targeted.

Mr Martin: In other words, in your view, it is OK to take money from the parents of children who are obviously closer to the circumstance than anybody could possibly be and break with a tradition in this province which says that parents should be the first and primary caregivers for children and turn it over to the state so that the state in fact can then decide what their priorities are. This sounds like Russia and communism all over again. I have no more questions, but I have certainly made up my mind on this candidate.

Dr Arnott: I think this is giving people in communities the opportunity to make the best judgment of what their communities need and what their communities want.

The Chair: Thank you very much. The government caucus?

Mr Wood: We will waive our time.

The Chair: The government caucus has indicated it will waive its time. So we have completed this particular matter.

SCOTT POST

Review of intended appointment, selected by the official opposition party: Scott Post, intended appointee as member, Early Years Steering Committee of the Chatham-Kent Health Unit.

The Chair: The next individual to be considered is an intended appointee as member the Early Years Steering Committee of the Chatham-Kent Health Unit. Mr Post, welcome to the committee. You have an opportunity to make an initial statement should you deem that appropriate.

Mr Scott Post: I do. Thank you very much for giving me the opportunity to sit before you today to discuss my intended appointment to the Early Years Steering Committee. I was honoured when one of the members of my church community asked if I would apply for this position, and I'm thrilled that you are considering my application and are willing to spend some time with me this morning.

Very briefly I'd like to share with you a bit about who I am, why I've applied to this position and what I believe I can offer the Early Years Steering Committee as well as my community.

I'm a recent member of the Chatham-Kent community, having moved to Chatham with my wife Melita only about eight months ago. In January of this year our first child, a son whose name is Matthias, was born to us and together we form the Post family of Chatham. I work at a local church as the director of youth ministries and my wife works at home caring for our son and taking care of the family businesses.

Originally I am from the Okanagan Valley of British Columbia, but I moved to Ontario to attend university in Ancaster at Redeemer University College, from which I received my bachelor of arts in religion and theology.

There are a couple of reasons why I am applying for this position. First, I believe that serving my community with my gifts and my talents is important for the development and upbuilding of the community itself, as well as extremely rewarding for myself. Second, and more specifically, why I've chosen this committee is because I have a passion for children. I believe in children, not only their future but also in their present situation. The work of the Early Years Steering Committee will have a significant and positive impact on the lives of many children as it works to improve in the area of early childhood development. I would be honoured to share in the work of just such a committee.

I also believe I have the skills and experience which would benefit the early years committee. I've held a number of paid and volunteer positions in which I have worked with and on behalf of children. I've also been involved in various church and school committees relating to youth education and volunteers.

I have a co-operative spirit and I'm team-oriented. I'm approachable and like working with people. I will be able to provide the committee with my time, energy and enthusiasm as well as a unique perspective being a new

and young parent and a member of the Christian community.

If there are any questions regarding my intended appointment to the Early Years Steering Committee, I would be pleased to answer them to the best of my ability.

The Chair: Thank you. We begin in this case with the third party.

Mr Martin: Have you any political affiliations?

Mr Post: I do not.

Mr Martin: How did you hear about this position?

Mr Post: As I said, it was mentioned to me by a member of my church community who approached me and asked if I would apply to the position.

Mr Martin: As far as you know, is this person connected politically in any way?

Mr Post: Not that I know of, but I'm uncertain.

Mr Martin: Our concern, as you may have heard in previous questioning of the candidate before you, is that this is simply a shell by this government to actually impose its agenda on people where child development is concerned. My concern is that this government is moving, and has from its inception, aggressively to remove any responsibility and control over resources spent and activity organized from the parents of children and to turn it over to the control of this government which then just believes it knows what's good for everybody. In many ways, this is really hurting families, particularly poor families and poor children.

A government that is sitting on over \$900 million from the federal government to be spent on early childhood programs, of which nothing has been spent yet, a government that has \$1 billion in reserve now and announced last week that it is going to spend another \$4.2 billion to give tax breaks to corporations, can't find money to increase the income of some of our poorest families on assistance and, in fact, is clawing back \$100 a month on average from poor families given to them by the federal government under the aegis of the national child tax benefit supplement.

I would want to know, before I voted on approval or disapproval of your appointment—not that it would probably matter much anyway, given the drive of the folks across the way—what your position would be on that particular issue. Do parents know best what's good for their children, or does the state know best what's good for their children?

1040

Mr Post: I think in the mandate, in a lot of the vision in the paperwork that I've seen for the Early Years Steering Committee, it speaks a lot of the importance of parents, the importance of the role of parents in bringing up their children, and it talks a lot about being in communication with the parents, mostly with the parents, I think, to figure out what the needs of the parents are and how we can spend the money given by federal and provincial governments.

Mr Martin: If it became obvious to you in your capacity on this board that what was laid out in the Early

Years Study, which is that provincial children's organizations that spoke of their member agencies are seeing more children going hungry, children who have to be taken into care of children's aid because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence—would it be your feeling that the board should advise the government that it should not only leave in the hands of poor families the money they're getting from the federal government but increase that amount if it meant they could feed their children at home and house them more appropriately so that when they move out into the community they are able to more adequately participate in some of those education programs we're providing?

Mr Post: I think that's probably a question I'd better be able to answer for you if I was on the committee itself. I'm uncertain of a lot of the policies, a lot of the stuff that's going on. Even in my own community of Chatham-Kent, I'm not sure of the levels of poverty and how best to provide for that. I think that would come, similar to what the last gentleman said, by taking inventory of the community and being best able to then work from there.

Mr Martin: The folks who are out there now advocating on behalf of poor families and children—I'm referring specifically, and there are lots of others who are studying the circumstance and the situation at the moment, to Campaign 2000. That's a group which was put together back in the late 1980s or early 1990s to keep the federal government's feet to the fire on a commitment they made to eradicate child poverty by the year 2000.

In 1989, child poverty was one in 10; in the year 2000, it's one in five. We were told two weeks ago that in Toronto, where we've had unsurpassed economic growth, where we've had very positive job creation, where we've had people shifted from the so-called welfare rolls in large numbers, we still have an increasing level of poverty. So there's something wrong here. There's something not right.

I certainly have my suggestions and hunches as to what is wrong, but the reality is, and according to Campaign 2000, now in Toronto we have one in three children actually living in poverty.

Would it not be your instinct, as it is mine, that in fact we should be giving those poor families more assistance to take care of themselves and their children?

Mr Post: That might be my instinct, but I haven't done the research as you have done, perhaps. I haven't looked at the paperwork, the studies; I haven't talked to the people who are involved in such situations. So I wouldn't be able to give a good, solid—I could give a gut instinct, but I wouldn't be able to give one that I'd like to put on the record.

Mr Martin: Coming from a background of involvement in church, I would assume that you would see the reality of giving billions of dollars out in tax breaks, mostly accruing to those who have the bigger incomes, and it's logical that that happens, initially by way of income tax cuts and now over \$4 billion in tax cuts to

corporations, at the same time as we have a growing number of families out there and children now living in poverty—morally and ethically that would be wrong, would you say?

Mr Post: I think poverty is wrong. How the government has decided to do this, I don't think I'm qualified yet to make a moral or ethical decision on their policies.

Mr Martin: Well, this is indisputable, OK? The federal government two years ago decided to give all low-income families in the country a break in order to try and improve their circumstances as they moved toward the year 2000, and they made this commitment to eradicate child poverty. They decided to give each poor family in the province anywhere between \$80 and \$100 per child, depending on income level, to help with food, to pay the rent or to buy maybe an extra pair of sneakers so the child could participate in some school or community programs; all the things you, as a parent, want your children to participate in, that all the families out there who are living in poverty want their children to participate in as well.

The federal government decides they're going to give some of the surplus they're beginning to realize back to poor families, and the provincial government—and this is indisputable—has decided, in its wisdom, to claw back, dollar for dollar, from any family collecting assistance, whether that be Ontario Works, the Ontario disability support program or even families collecting OSAP who are going to school to better themselves. If there's a cheque going out from the provincial government to those families, the dollars they got from the federal government earlier on in the month by way of the national child tax benefit supplement are taken away, dollar for dollar. Do you think that's right?

Mr Post: Again, I'm not certain as to why they've chosen to do that and I don't feel qualified to give a professional response.

Mr Martin: Somebody who works in the church I would think would understand that, even if only from a moral and ethical perspective, this has to be wrong.

The government will tell you that the reason they're doing it is, they're taking that money and putting it into these other programs that are delivered in the community, and I think that's wonderful. Those programs are all very valuable and important programs, but the government has been given over \$900 million to spend on early childhood initiatives by the federal government. This is a government that's sitting on \$1 billion in surplus, a government that's already given billions of dollars away in tax breaks to our richer citizens and is now, in the budget that was just brought down last week, going to give another over \$4 billion in corporate tax breaks to people who, when you compare the plight of poor people to the plight of some of these corporations, really don't need it. What I'm claiming is that if they want to provide the programs, they're taking money that they're stealing from poor children to support—they should actually be spending that money on them instead of taking that money away. You don't see something wrong with that picture?

Mr R. Gary Stewart (Peterborough): Mr Chairman, do we allow the word "stealing" in this committee? We don't in the House. I hope you don't here and I would ask that he retract that type of comment.

The Chair: I will ask the member to withdraw the word "steal."

Mr Stewart: It's very unprofessional.

Mr Martin: Rather than "steal," we'll say—

The Chair: Are you withdrawing the word?

Mr Martin: I withdraw the word.

The Chair: Thank you.

Mr Martin: —redirecting the money that they're taking out of the mouths of poor children who are going hungry. As a matter of fact, I've talked to mothers in particular who themselves go hungry at the end of the month. They don't eat so they can feed their children, because their level of income is so minimal in their instance. And some of the things that come at them—you know as a parent and I know as a parent, every month there's always something, whether it's a new shirt or whatever it is you've got to buy for your children. This government is taking that supplement, which the federal government has offered, away from those families who are most vulnerable and most at risk in our communities, and even if they are spending it on these worthwhile projects, they have other sources of money they could go to for those programs. You don't see anything wrong with that picture?

Mr Post: One of the things I have learned in my church, including ethical and moral decisions, is that I'm supposed to be very slow to speak out against something.

Like I said, I have not done the research as you have done. I hear what you're saying. When you talk about those women and the mothers who are starving and their kids are starving, I think that's awful, I really do. Do I think the best way of doing it is the opposite of the way the official government has done it? I can't comment on that. But I do agree with you; I think poverty is awful. These women and children who are starving, I think that's awful. That's one of the reasons why I want to sit on this committee.

1050

The Chair: Mr Martin, your time has expired. We'll go to the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time. We'll go to the official opposition.

Mrs Dombrowsky: I'm encouraged to understand that you were approached by a member of your community, someone who would know you, who would obviously judge that you might have something to contribute as you would participate in or on a steering committee that considers what services are available within your community to support families and children. This committee is a result of a recommendation from a document that the government commissioned. They commissioned Dr Fraser Mustard and the Honourable Margaret McCain and they produced the Early Years Study. Have you had an opportunity to review that study?

Mr Post: A little bit, yes.

Mrs Dombrowsky: So you are familiar with the body of the document and, at the end, it has several recommendations.

Mr Post: It does. I couldn't name them off for you, though.

Mrs Dombrowsky: I couldn't either, although I could name several recommendations that are, I think, especially important for children in the province today.

The way the program is set up within communities, there is an expectation that the government will spend no money within any community until a community is able to raise money from within. Do you have an opinion about how appropriate it is to support the needs of families and children within communities conditionally? In other words, government is saying, "We think it's important that programs be established. We're going to provide money to support these programs, but only if the community can raise resources, and whatever they raise, we'll match. We're not going to provide more. There is a base level and then beyond that you are responsible for raising resources." Do you have a comment on that?

Mr Post: About whether or not it's appropriate or whether or not the government should just give the money regardless?

Mrs Dombrowsky: Given what you've read in the Early Years Study and how vitally important, how critical it is to support children in the early years, do you think it's appropriate that programs the government would say are important to achieve that are supported conditionally upon the participation of community groups?

Mr Post: I like the idea of participation by community groups. I thought that was an excellent way. I think the study also talked about the need for community ownership of programs, if I'm not mistaken, but I might be.

Mrs Dombrowsky: Community participation, yes.

Mr Post: Community participation, but in doing so, the community is taking ownership of that program as well. The community itself wants to see this program run and will do its best to see that program run, and the government, then, is helping out that community with the funds, matching dollar for dollar. I thought that was a good way of working it. I didn't see anything wrong with it.

Mrs Dombrowsky: Did you consider, for example, that there would be very small communities in Ontario that would not have the same opportunity or the same resources to access that there might be in your own community of Chatham, for example? I represent a large part of rural Ontario and there are many small rural communities where there's not a lot of industry or corporations or service clubs. The challenge within those communities, in my opinion, if the deal is, "We'll support you, but you have to come up with money and then we'll match it," is that that's going to be more difficult in certain areas, not just in rural Ontario. I appreciate there can be situations even within the inner city, because the demand would be so much greater in

terms of the need for service. Do you think the government really has some responsibility to ensure at least a basic level of service across the province?

Mr Post: I'm not certain, but I believe for certain communities, rural areas, and, if I'm not mistaken, aboriginal areas as well the government provides more funding, that those communities didn't have to raise as much money. I'm uncertain as to the exact—I know for most communities it was supposed to be 50-50, but in other communities it might be 25-75. I'm not sure. So that would make it a little bit easier for those communities. Again, I don't know exactly if that's the best or if that's better or not as good. It could be; it might not be. I'm not really qualified.

Mrs Dombrowsky: OK. You did make a statement when you were speaking with the member from Sault Ste Marie that indicated that your experience or your personal practice would be that you would be slow to speak out on issues, and I can certainly appreciate that when we make statements as community representatives, we would want to be very measured and make considered statements. Do you have the sense, though, that when you're on a steering committee, you have an obligation to be a strong voice and advocate for the needs of families and children? Sometimes in that role we really are not afforded the luxury of being able to ponder an issue. It can happen that we are called to take a position at a moment's notice. Do you think you could do that?

Mr Post: I think those would be the challenging times to take that position, on a moment's notice. As much as possible, I'd rather postpone it. I think also as you sit on the committee, you'd become more and more familiar with the needs of the community, which I think would be very important if I'm ever going to fulfill the mandate of committee persons championing early development for children. I think that is a position, then, that you've taken once you've sat on that committee, that you believe strongly in the development of children in the younger years.

So sitting on this committee, I think there would be a very strong statement being made. I would be willing to make that statement that early childhood development is important. How that practically works itself out in the community I think would become clearer as I sat on the committee itself.

Mrs Dombrowsky: Do I still have some time?

The Chair: Yes, you still have three minutes.

Mrs Dombrowsky: I'd like to understand from you what you might, in your time as a resident within your community, have come to understand are the most pressing needs for families and children.

Mr Post: I'm uncertain as to the exact impact. I know that Chatham is going through a recession right now. There are a lot of people who have lost jobs in the automotive industries, and I'm sure that's had a significant impact on the situation for families. Now, exactly what kind of assistance they would require out of that, I'd be uncertain.

I also know that while we were in the hospital, one of the nurses commented on the number of single parents, mothers, who were coming in and delivering babies. The importance, I think, would be for them as well, for single-parent families. I suspect that's a need as well. Again, I'm uncertain. It's only been eight months. I wouldn't have a whole lot right off the bat to give you.

Mrs Dombrowsky: Are you familiar with parenting centres? Do you think that accessibility to affordable child care is an issue within your community? Are you familiar if there are waiting lists for regular child care spaces?

Mr Post: I am not familiar with the child care because my wife takes care of our child out of the home herself, so we don't use a whole lot of child care. I know that my wife does attend a Baby and I program, which provides information which she has found extremely helpful and very accessible. She has also been able to be in contact with lactation consultants from the hospital, and also the maternity ward from the hospital if she had questions. Pretty much any time of the day she can ask those questions, and she feels that she has knowledge at hand so that she can provide better care for our child and subsequently so can I, because she provides the information to me.

1100

Mrs Dombrowsky: So you would come to this role not necessarily having as a priority in your mind addressing some key needs that you would be aware of, even from within your faith community, where people would have come to you to say, "We, as parents, need to have specific services enhanced, because we just are not able to access them for our family." You would have nothing like that in mind right now?

Mr Post: In my own church community, I know one of the questions that has come up—and we are trying to address some of that—is just understanding parenting for new parents, their roles as parents, what they can do to provide the best care for their children. In our situation, it's not so much child care itself but just the passing on of knowledge and information to parents so that they can provide the best possible parenting for their child.

The Chair: That concludes the questions for this particular individual. Mr Post, thank you for being before the committee.

CATHERINE DENNAHOWER

Review of intended appointment, selected by official opposition party: Catherine Dennahower, intended appointee as member, the Early Years Steering Committee of the Niagara Regional Area Health Unit.

The Chair: Our next intended appointee, as a member of the Early Years Steering Committee of the Niagara Regional Area Health Unit, is Catherine Dennahower. Welcome to the committee. You are of course welcome to make an initial statement should you see fit. Then each of the parties represented in the committee has up to 10 minutes to direct questions to you.

Ms Catherine Dennahower: It is a pleasure to be here and certainly an honour to be asked to come and a learning experience for this aging woman. I appreciate all of that. The following information, Mr Chair and members of the committee, that I will share with you this morning is, I hope, to assure the committee members present that I am a well-informed, highly respected, intelligent, community-minded individual. I am a tireless worker and a caring volunteer worthy of a public appointment to the Early Years Steering Committee of the Niagara Regional Area Health Unit. I always maintained that being humble achieved a great deal. Having read that first paragraph, I must apologize for bringing forth all my virtues.

My chosen career spans 33 years of dealing with children in the educational field. During my time as an educator, I held positions as a classroom teacher, a librarian, a special education teacher and a principal. I chose my profession because of my love of children and the concept that I would instil educational skills and social values within each child. Each child is a treasure that needs nurturing, love and direction.

My early years in the classroom dealt with the primary division, grades 1, 2 and 3. Eventually, my years of experience allowed me to take on the role of principal, which offered many challenges. This position involved motivation, personalities, organizational skills and many more qualifications too numerous to mention.

Approximately halfway through my career, I worked with kindergarten children for a period of 12 years. The importance of early years development was very evident to me. The diversified lifestyles, the ethnic backgrounds and the parenting skills of the family were like a kaleidoscope, a wonderful learning and giving experience for myself, and I am most grateful for that.

During the last part of my kindergarten days, I witnessed a pilot program, junior kindergarten. Of course, the child's learning abilities, social skills and behaviour changed dramatically in senior kindergarten, having had the more formal atmosphere of this previous training. This enabled me to evaluate the wealth of early years development.

The remaining years of my teaching career encompassed the library, special education and senior grades. Students in these areas demanded a great deal of attention in a variety of areas. I was very content with my duties and enjoyed the challenges presented.

In fact, my diversified career enabled me to be a more competent and enriched person. My involvement and expertise has inspired me to become a very community-oriented worker and volunteer. Both my municipality and the region have recognized these abilities. I was named volunteer of the year in our own town of Fort Erie. I also served as a director of community outreach. This organization contains a food pantry and a budgeting program, and reaches out to the community in several ways. A breakfast program also exists. I was part of that and am very proud to say that.

The Fort Erie chapter of the Heart and Stroke Foundation has a Jump Rope for Heart program in many of our

schools and I am chair of this very successful annual event. Some \$4,500 was raised by one of our schools just last week, so we are very, very proud of that. I also sit on the board of directors for Crime Stoppers of Niagara, where programs are developed for students to help them become more aware of making our communities and our schools better and safer places to live.

My work as a councillor on St Michael's parish council has also given me insight into the spiritual growth of the parish and our parishioners. Since gaming has become a great source of revenue for our town of Fort Erie, I sat on the gaming steering committee for the town, as well as the transit board. I have also assisted in the placement and education of many government-sponsored boat people from Vietnam and especially our own sponsored Vietnamese family—a wealth of learning for myself and for my family.

All of my undertakings and projects have been a fantastic learning experience for me and others involved with me. I have expressed my commitment to previous endeavours, and now my desire to participate in the Early Years Steering Committee of the Niagara regional area health unit. I look forward to the challenges of this new program.

The Chair: We will begin our questioning with the government caucus.

Mr Stewart: Welcome, Ms Dennahower—if I've pronounced that right.

Ms Dennahower: Yes, you did.

Mr Stewart: Mine is not a question to you. Mine is more of a comment. I have sat on this committee before. Unfortunately, this committee sometimes becomes a character assassination type of committee, which leaves me extremely cold. I don't condone that in any way. What I would like to—

Mr Martin: Point of order, Mr Chair: I would ask that the member who is speaking would withdraw the accusation that anybody on this committee is assassinating anybody's character.

Mr Stewart: I'll withdraw it and will say that some of the comments that people make toward other people are certainly not very appropriate.

If I look at a person like yourself and I look at your credentials here, I want to congratulate you, as well as the other two people that are putting their names forward to be part of a committee like this. If I look at your credentials, they suggest that you are a very caring and dedicated woman. If I also look at your credentials, being a classroom teacher and principal and all the other things that you have done in your few years, I do really want to congratulate you, because there are so many people who don't want to get involved with their communities. I think you should be very proud and I think we should be very proud to have somebody like you put your name forward to give consideration for this. I think you are extremely well qualified. Certainly your social values and for what you have been recognized by your own community says a whole lot. I would be extremely proud to support you in this nomination.

1110

Ms Dennahower: Thank you very much, Mr Stewart.

The Chair: Any other government members?

Mr Wood: We'll waive the balance of our time.

The Chair: We go to the official opposition.

Mrs Dombrowsky: Good morning, Ms Dennahower. I would agree with Mr Stewart; you certainly have been very active within your own community. You have listed here on your resumé that you have also been very politically active with the Progressive Conservative Party. Do you continue to be active with the party?

Ms Dennahower: Yes, I do.

Mrs Dombrowsky: At this time do you hold an executive position with the party?

Ms Dennahower: Just as a ladies' representative, yes, on the provincial executive.

Mrs Dombrowsky: At the provincial level.

Ms Dennahower: Yes, I am.

Mrs Dombrowsky: Very good.

With regard to the role that you have put your name forward for, did you respond yourself to an ad that was published in the paper? Were you asked by an individual within your community to consider the role? How is it that you've come to be here today?

Ms Dennahower: That was most interesting, because I had seen an advertisement in the paper of Dr Mustard, who was partaking and speaking in our area. I think perhaps—maybe Mr Bradley can help me with this—it may have been at the university series at Brock University. I was unable to attend that, and I was most anxious. When I had discovered and heard of the report coming out from Senator Margaret McCain and Dr Mustard, I thought, my, how wonderful, especially with what I had known and was very evident from my teaching years. Based on that opinion, I thought, "I've got to follow this forward now and see what's what."

I never did see an advertisement in the paper; I saw an advertisement for the early years coordinator. So possibly I missed anything else that may have been there, because had I seen anything, I certainly would have been very aware of it. I'm an avid newspaper reader at times.

Mrs Dombrowsky: Very good. So you are obviously aware of the Early Years Study and the recommendations contained within it.

Ms Dennahower: I am.

Mrs Dombrowsky: Are you familiar with the report last December that was released by the Education Improvement Commission, *The Road Ahead—V*? This was the final report from the Education Improvement Commission, that body that was created by this government to consider issues within education. That commission recommended that the government should invest more than \$1 billion to provide nearly universal daycare and full-day junior and senior kindergarten. Would you have an opinion on that recommendation, particularly from your perspective as a kindergarten teacher?

Ms Dennahower: I think perhaps one has to be on those committees and go into them in detail so that they know. We have to be aware of what we are in need of in

our area. That, I believe, is what we have to think about when these things are put forth. We can have recommendations coming from everywhere and every place, and they certainly aren't always what is needed everywhere.

Mrs Dombrowsky: I'm just curious in your perspective as an educator, particularly as a primary educator. Even if you don't feel comfortable making a comment on the recommendation on daycare, as a primary education and a former kindergarten teacher do you have an opinion on the value of a full-day junior and senior kindergarten program?

Ms Dennahower: Again, I truly believe that's going to depend on going into the schools and looking that situation over and seeing if this is what is needed in our area.

Mrs Dombrowsky: Are you familiar with the federal child development accord that was signed last fall between the federal government and the provinces in Canada?

Ms Dennahower: Was this the transfer of funds or funds involved with—

Mrs Dombrowsky: As a result of the accord, yes, some \$844 million will come to the province of Ontario over the next five years. As a matter of fact, on April 1, the province of Ontario received the first instalment from the federal government, \$114 million. Last week, the Minister of Community and Social Services, who now has responsibility for children's issues, made some announcements around the \$114 million. As part of that initiative, the \$30 million for the early years centres was included. So the work that you are about is a program that is being supported with federal dollars. Were you aware of that?

Ms Dennahower: Oh, yes, I did know that federal monies would be coming.

Mrs Dombrowsky: OK. With the transfer from the federal government, there were four areas that the province could consider supporting, four areas of needs for families and children. One area is daycare. This government has chosen not to direct one cent of the federal accord dollars to support daycare initiatives. Do you have an opinion on that?

Ms Dennahower: I suppose my opinion would be, again, that we have to know the needs of our own area. We have to be aware of what is needed before we can make those recommendations. I think one has to really become more involved in a committee such as this to see if that is needed.

Mrs Dombrowsky: You tell me that you read the paper. There has been, across the province, a forum taking place, sponsored by the Coalition for Better Child Care. I know that there was one of these forums in the Niagara area. Clearly what is consistently reported in all of the communities where the forum has taken place is that there is a dire shortage of regulated daycare spaces.

Does it not strike you as strange that, given this reality, the government has chosen not to use any of the federal money that has come to it? Very clearly it was an

area that the federal government said would qualify in terms of a program. Does it not strike you as strange that this government would not direct one cent toward supporting affordable, subsidized, regulated daycare for families and children in the province?

Ms Dennahower: Mrs Dombrowsky, as you're speaking, programs certainly are running in our area that certainly should enhance and help that situation. Parenting skills and responsibility are so important. Consequently, maybe we will look at that and know, when one is a member of the committee.

Mrs Dombrowsky: Yes, there are certainly a number of programs available now within communities. But what I'm saying to you is that it has been very clearly articulated by parents who have participated in the forums that what is in place nowhere near matches the need within communities. What they are saying is that the government has a responsibility to recognize and address it. Certainly it was the hope that with this new money from the federal government there would have been at least some of those resources directed toward improving the child care situation in the province, and that did not happen.

Ms Dennahower: Perhaps when we are concerned and we are involved in here we will see that there have been programs that are going to help out in that situation. I don't know. I can't give you a direct answer until I would be part of that committee, really. I appreciate your concern about it.

1120

Mrs Dombrowsky: Yes, it is a very clear and important one.

With regard to the work and the role of the Early Years Steering Committee, there is an expectation that the resources that will come to your community will be dependent upon the resources that you are able to raise locally. Do you think it is fair that the support of programs for families and children would be conditional in that way upon resources being raised locally?

I would ask that maybe before you respond you might consider that there would be locations in communities in areas in the province that would not have the same access to those resources that would be available in other communities. Conversely, there might be large urban centres where the needs are significant and there simply are not enough resources to assist them. Do you have an opinion about how appropriate it is that supporting these programs would be conditional in that way?

Ms Dennahower: That word "conditional" can be interpreted in many ways, can't it?

Mrs Dombrowsky: Basically what the government has said is, "We will match whatever you raise locally."

Ms Dennahower: There is a great deal—again, my own personal opinion—that goes on in bringing a community together in co-operation, in partnering. I have discovered that in our area now with the tourists we are beginning to partnership. Our town is beginning to boom because we seem to have that reinforcement of community. I think perhaps reinforcement is not all that bad, and partnering is not all that bad.

Mr Martin: Thank you for coming this morning. I want to, right upfront, tell you how much I appreciate the fact that you put out on the table immediately your political affiliation. I think that's a good thing to do, and it is important for us to know.

Ms Dennahower: Just before you begin, Mr Martin, my concern is the child. I'm here regarding early childhood development. Thank you for commenting, but I would like you to know that.

Mr Martin: I want to talk to you a bit about that because my concern and the concern of a whole lot of people I've been in contact with over the last number of months out there in communities is that in fact the concern of this government isn't the child as much as it is financial considerations and stimulating the economy and making sure that those who have, get more, and in fact they have started out on a campaign to take away from those who have less even more, so that in the end they're not able to look after their children. This new initiative of these committees that are being set up across the province is simply an initiative to somehow cover over some of the cracks that are beginning to appear in the system.

For example, in the Early Years Study it became obvious in the consultation that Dr Mustard had that many people were concerned that families didn't have the resources they needed to look after themselves. The sense I have is that this government feels the state does that better, that the state knows better, the state can manage money better. Therefore for them to be taking the money that traditionally and historically has gone to families to make sure that they're able to feed their children and put clothes on their children and house their children means they don't trust them any more to do that and so the state will do that. What's your view? Who is ultimately and in the end responsible for making sure children have what they need?

Ms Dennahower: My opinion is that the parents or parent has that responsibility.

Mr Martin: Do you see it as appropriate that the provincial government would claw back, dollar for dollar, from some of our more vulnerable and at-risk families the money that the federal government is giving them by way of the national child tax benefit supplement which was instituted to support poor families across this country? Do you see that as an appropriate initiative of this government?

Ms Dennahower: I truly think, Mr Martin, our province of Ontario is giving responsibility to parents and attempting to promote the parenting skills that are truly needed. We need to enforce that responsibility with people. We need to have the parenting skills. That's what it's all about. We need those parents to know what to do. We need those parents to know how to budget. We need to teach those parents. When you think of years ago, I remember my grandmother not having very much and we never knew what was going to be on the table. I think we're helping. We're doing wonderful things, and I think this in particular too is going to be a wonderful thing.

Mr Martin: You think it's a wonderful thing to be taking upwards of \$80 to \$100 a month per child away from some of our more vulnerable and at-risk families in the interest of teaching them parenting skills?

Ms Dennahower: Not if it's not going to be directed in a program that's going to perhaps replace that. Often I think that does happen. That's again my own personal opinion, but I do think we have organizations and areas that are enhanced in different ways.

Mr Martin: Your feeling is that if you take that money away from those families—you know, if you listen to some of what the people out there are saying, we now have one in three children in Toronto living in poverty and more and more families homeless and living on the streets of this great city. It says here, "A family who does not have a place to live is not going to be able to provide a stable home environment for their children. This message was reinforced by provincial children's services organizations who spoke of their member agencies seeing more children who are going hungry, children who have to be taken into care of the children's aid society because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence."

If that's what's happening out there and these folks are saying to leave the child tax supplement in the hands of those families so that they can feed themselves and their children, perhaps put a little bit into the ever-increasing cost of rent for a home, and even if they are taking that money and putting it into other, more community-based programs that aren't directly helping these families feed themselves, this is OK?

Ms Dennahower: Again, until you are right there and you know these things and you know where it's coming from, it's difficult to say, isn't it? This item that I found a while back, in fact I think it was dated April some time, says there are fewer needy kids in Canada, a report. So we contradict one another, don't we, until we're right there and know and have the involvement that can tell us these facts and that they are the right and accurate facts. This is the item I had found that said there were fewer needy kids in Canada.

Mr Martin: The people who are right there, the people who are working in children's aid societies, who are saying their caseloads are increasing—that's why the government is giving them more money—the group that tabled the report that I referenced earlier that suggested that one in three children in Toronto, the heartland of the Canadian economy, are now living in poverty, are saying it is severe, that mothers are making decisions, near the end of the month particularly, to not eat so that they can feed their children.

We had a mother before us in this Legislature before Christmas who told us she lost a baby because she wasn't able to provide the nourishment necessary to make sure that baby had a fighting chance at survival once it was born. She talked about having two children who are undersized because she's not able to provide the kind of nutrition that's necessary on the income she has now because she lost 22% of her income when this govern-

ment moved to reduce welfare by 22% in June 1995. There doesn't seem to be any recognition by this government that those kinds of initiatives are having that kind of outcome and impact, and those folks who are working with those people out there are saying the very same things.

1130

My hope is that there would be some members, given that we're moving forward aggressively on putting in place these committees that you're seeking to be appointed to today, who would be willing to be forthright and honest and aggressive in telling the government that what they're doing is hurting poor families and hurting children.

Ms Dennahower: That's what I would hope we would find out, and if I happen to be a member, I would find out. If those are horrific things, we don't want that going on in our province. We don't want that going on in Canada. But shame on me and shame on you and the rest of us if we aren't taking some responsibility and helping out, Mr Martin.

The Chair: Thank you very much. You may step down.

The committee will now deal with the intended appointees and I will be prepared to accept motions by any members of the committee in this regard. The first one we will consider is that of Mr John Arnott.

Mr Wood: I move concurrence re Dr Arnott.

The Chair: Concurrence has been moved by Mr Wood. Any comment, first of all, any discussion? Mr Martin, you have your hand up?

Mr Martin: I can't support this appointment. By way of the response to some of the questions I asked, I think this is a person who is obviously going to support the agenda of this government that's playing out there right now, which is really hurting some of our more vulnerable and at-risk families, and is obviously not willing to listen or try to understand the other side of the equation here. It would be in my view a carrying out of my worst fear re this committee, that in fact it simply becomes a committee that coats over, fills in the cracks and becomes a vehicle of this government to deliver an agenda that is more in keeping with what we saw in the budget of last week and the speech from the throne, which is more tax breaks and money for those who have, and less money and support and services for those who don't. This is a government that believes the rich don't have enough and the poor have too much, and they're going to fix that.

If we're going to support the appointment of the nature of the gentleman whose name is on the table at this point in time, I think we'll just get more of the same. We'll have people not only at Queen's Park driving that agenda, but we'll have a vehicle driving that same agenda in our communities. I think that will be to the detriment of those families that are most vulnerable and most at risk among us. So I won't be supporting that.

Mrs Dombrowsky: I don't usually comment before a vote, but I do feel compelled in this particular case to share with members of this committee an inconsistency I

did observe with the presentation of this candidate, who was very open with regard to his political affiliation.

Obviously he would be an individual who would espouse the idea that tax cuts are a good idea. I've heard members of the government present the notion that taxpayers know best how to spend their money, so we're going to give them their money so that they can spend it. But in the case of the poor, the government is saying, "You receive a child tax benefit. We're not so sure you know how best to spend it, so we're going to take it back and we're going to provide programs for poor and needy families." I see an inconsistency here in your philosophy about who knows best how to provide what their family needs.

It's important for me that I take this opportunity to put this on the record. For this reason, I will not be able to support Dr Arnott.

Mr Bert Johnson (Perth-Middlesex): I'd like to request a recorded vote.

The Chair: Any other comment before we have that? We have a request for a recorded vote on Mr John Arnott, an intended appointee to the Early Years Steering Committee of the Leeds, Grenville and Lanark District Health Unit.

Ayes

Johnson, Ouellette, Stewart, Wood.

Nays

Crozier, Dombrowsky, Martin.

The Chair: The motion is carried.

The second one we deal with is Mr Scott Post, who is an intended appointee as member, the Early Years Steering Committee of the Chatham-Kent Health Unit.

Mr Wood: I move concurrence re Mr Post.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Martin: I'm sort of betwixt and between on this one. I want to support Mr Post and probably will in the end, but I just need to put on the record my concern re his hesitation to in fact take the bull by the horns in recognizing—and even indicating that when in fact he might recognize there's a problem for families out there who are in need, he might not be willing to move aggressively and quickly to try to resolve some of the issues. That leaves me uneasy, because a lot of the families out there that I've come in contact with and I hear about through the people I've met with over the last few months tell me those people need immediate relief. They can't wait until we figure out as a government what it is we should or could or can or must be doing.

This government, if it had any understanding at all or any conscience around the question of the needy needing resources to feed themselves and their families, would and could decide today to stop clawing back the child tax benefit supplement. It wouldn't cost them a penny, not a

cent, and they could continue to support those wonderful programs they're putting this money into from the surplus or from the over \$900 million they're getting from the federal government, or even reduce ever so insignificantly the big tax break they're going to be giving to corporations over the next year to provide those programs and support those families.

So even though I have some reservation in terms of Mr Post's intestinal fortitude where moving aggressively and quickly on some of these things is concerned, I still think, given the empathy that I heard in his voice and some of what he said and seems to feel strongly about, and certainly some of his moral and ethical root in his church community, that at the end of the day he will be helpful and perhaps a good appointment. My hope is that he will be, and so I'll be supporting his appointment this morning.

Mr Johnson: I'd request a recorded vote.

The Chair: A recorded vote has been requested. Any discussion before we have the recorded vote?

All in favour? Opposed? Motion carried.

Mr Wood: That was a recorded vote, Mr Chairman.

The Chair: Oh, yes, of course. If we're going to have a recorded vote, our clerk is going to call out the names. Thank you, Mr Johnson, for requesting that.

Ayes

Crozier, Dombrowsky, Johnson, Martin, Ouellette, Stewart, Wood.

The Chair: The motion is carried.

The next one is Catherine Dennahower, who is an intended appointee as member, the Early Years Steering Committee of the Niagara Regional Area Health Unit.

Mr Wood: I move concurrence re Catherine Dennahower.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Martin: On this one, I think I can support given her last comment and given that I feel she was sincere in that comment. Again, though, I have some reservation in that she danced around the question of who ultimately was responsible for making sure children were looked after: is it the parents or is it the government?

Ms Dombrowsky pointed out the sort of inconsistency that seems to be there where, on one hand, this government believes the taxpayer should have the money so that they can make personal decisions about where they might spend it and, as she rightly points out, in the instance of where the poor are concerned, they believe they should not have the money, that in fact the government knows better and should be making decisions about how that money should be spent on behalf of their children.

However, I was impressed, I have to say, by her last answer to the question. She does have a good background in education and is very much involved in her community, obviously committed to improving the lot of her

community. My hope is that in being part of this committee and participating actively in that and in discovering some of what the people who advocate for and work with and on behalf of the poor in our communities experience, she will come to the same conclusion I have, which is that it's really important that we return to poor families the capacity to look after themselves, to pay the rent and to provide a safe and comfortable home for themselves and their children, to put food on the table, to clothe themselves and their children appropriately, given the seasons we experience in this country, and to be able to provide the resources necessary so that they themselves and their children will be able to participate in the programs of the community, whether it be at school, in recreation or whatever.

I hope she will act accordingly and will act out of the compassion and understanding she shared in the last answer she gave to my question here this morning, so I'll be supporting this appointment as well.

Mr Crozier: I just have a brief observation about Ms Dennahower's comments. I followed very closely what she had to say and I've looked at her record of volunteerism in the community and particularly her experience as an educator. As an observation, it was surprising to me that when asked about her view on full-time junior and senior kindergarten, she seemed to avoid the answer in that I believe what she was said was, "You have to kind of be there and know the circumstances that surround it." I just found it surprising that someone with her experience and dedication to education wouldn't simply say that it's better for someone to have full-day JK/SK than to have anything less than that.

I wanted to put that on the record, because then you begin to wonder whether some of the other answers were guarded, as that one was.

Mr Johnson: I'd like to request a recorded vote.

The Chair: A recorded vote has been requested. Any further discussion before we have the vote? If not, we'll have the recorded vote.

Ayes

Johnson, Martin, Ouellette, Stewart, Wood.

Nays

Crozier, Dombrowsky.

The Chair: The motion is carried.

I believe that completes the business of the committee for today. In regard to the matter we discussed earlier—sorry. Yes, Mr Crozier?

Mr Crozier: Just a question. I would like to bring up again today—and I'm assuming, since the clerk hasn't given us the written response from the secretariat with regard to information from the secretariat on available appointments, that we just haven't received it.

Clerk Pro Tem (Ms Tonia Grannum): No, I haven't received it.

Mr Crozier: I would appreciate it if the Chair and/or the clerk could get in touch with the secretariat and ask that that written response be forthcoming.

The Chair: And on the other matter that we discussed of scheduling, we will, I suppose, try on an informal basis to get a subcommittee together so we can make a determination, because there are some logistical problems that Mr Wood has brought to our attention and there may be a way of resolving those that will be satisfactory to all three parties represented on the committee. So hopefully that can be done.

Mr Wood: I'm available right now, if anybody else is.

Interjections.

The Chair: If we're not at this time, I will try to get us together at a convenient time soon.

Mr Wood: I stand available, subject to schedule.

The Chair: Thank you very much. We appreciate that very much, Mr Wood, and the representatives of the other two parties.

Any other business to come before the committee? If not, I'll accept a motion of adjournment.

Mr Wood: So moved.

The Chair: Moved by Mr Wood. All in favour? Carried.

The committee adjourned at 1145.

CONTENTS

Wednesday 16 May 2001

Subcommittee report	A-39
Intended appointments	A-40
Dr John Arnott.....	A-40
Mr Scott Post.....	A-44
Ms Catherine Dennahower.....	A-47

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr R. Gary Stewart (Peterborough PC)

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-5 on
1019
352

A-5



A-5

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 30 May 2001

Journal des débats (Hansard)

Mercredi 30 mai 2001

**Standing committee on
government agencies**

Subcommittee reports

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapports du sous-comité

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday 30 May 2001

The committee met at 1005 in room 228.

SUBCOMMITTEE REPORTS

The Vice-Chair (Mr Bruce Crozier): We mustn't be tardy here. Apparently the first selection is not here. We've got a couple of subcommittee reports to deal with, and then there is an issue the clerk would like to bring to us about the timing on some of the selections we've made.

Mr Bob Wood (London West): I might say that apparently our second person is here. We do have someone to interview.

The Vice-Chair: OK. We will start with the report of the subcommittee on committee business dated Thursday, May 17, 2001.

Mr Wood: I move its adoption.

The Vice-Chair: It has been moved. Any discussion? All those in favour? Carried.

Next is the report of the subcommittee on committee business dated Thursday, May 24, 2001.

Mr Wood: I move its adoption.

The Vice-Chair: Adoption has been moved. Any discussion? All those in favour? Carried. Thank you.

Now we are at the point where the clerk is going to advise us of some timing matters.

Clerk pro tem (Ms Tonia Grannum): From the May 4 certificate we still have 11 people outstanding to be scheduled. That deadline runs out June 3. We would need an extension if the committee wishes to hear from any more people on that certificate. If that certificate receives the extension, then the people selected from the May 11 certificate will also need an extension because their certificate runs out June 10.

Mr Wood: I will ask for unanimous consent that the time allocated for review of everybody who hasn't yet been reviewed be extended by seven days.

Clerk pro tem: For each respective certificate.

Mr Wood: Everybody.

The Vice-Chair: It has been moved. You are asking for unanimous consent.

Mr Wood: Yes, I ask for unanimous consent.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Could I just ask for clarification? When you say extended by seven days, everyone will receive a seven-day extension. It's not that the entire group is extended to a particular date.

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 30 mai 2001

Mr Wood: That's what I'm saying. Whatever their date is now, everybody is extended seven days.

Clerk pro tem: So the June 10 certificate will now be June 17 and the one that runs out June 3 will be June 10.

The Vice-Chair: Further discussion? Do we have unanimous consent on that?

Mrs Dombrowsky: Why seven days and not 14?

Mr Wood: We are prepared to extend by seven because we had the constituency week.

Mrs Dombrowsky: I'm sorry?

Mr Wood: That's the only extension we're prepared to agree to.

The Vice-Chair: Because constituency week fell in there, we are extending seven days. If unanimous consent is not received, then we lose the May 4 certificate, unless there is another motion. Do I have unanimous consent? We have unanimous consent.

INTENDED APPOINTMENTS

PAWANJIT GOSAL

Review of intended appointment, selected by official opposition party: Pawanjit Gosal, intended appointee as member, council of the College of Midwives of Ontario.

The Vice-Chair: Our first intended appointee is Ms Gosal. Would you come and have a place at the desk and make yourself comfortable. Perhaps you could assist the Chair by repeating your name.

Mrs Pawanjit Gosal: Pawanjit Gosal. Exactly as it is spelled.

The Vice-Chair: Thank you, and welcome. I don't know whether you're familiar with the procedure, but you can make opening remarks if you wish. That would be part of the government's time. Then each of the parties is given 10 minutes to ask questions, have a conversation with you, whatever they choose.

Mrs Gosal: Thank you for inviting me to appear before you today. As you know, my name is Pawanjit Gosal and I am seeking a position on the council of the College of Midwives. I come from a country where midwifery is common practice. In fact, I was delivered by a midwife.

I have lived in Brampton for the last 18 years with my husband and three children: Jasmine, Sanjot and Priya.

I understand that I am sitting on the council of the College of Midwives representing the people of Ontario. Although I know little about the College of Midwives, I

do know that if appointed to this board I will be responsible for regulating the profession and making sure that individuals have access to services that are provided by competent health care professionals.

I look forward to the training that will be provided to me and look forward to learning about the acts, regulations and bylaws of the college. If appointed to this position, I will do my best to represent the people of Ontario. Thank you and I look forward to your questions.

The Vice-Chair: We will start with the official opposition.

Mrs Dombrowsky: Good morning, Ms Gosal. I have to say that I think it would be a most interesting experience to participate on this sort of governing body, with this particular college. I reviewed your resumé and you have some extensive experience in the business field. What would have attracted you to this appointment?

Mrs Gosal: Like I said, I was born by a midwife and I have three kids of my own. I've always been interested in knowing more about the profession. I think that because I went through three pregnancies, I know what pregnant women need and what kind of sensitivity they require.

Mrs Dombrowsky: I'm a mother of four, so I think I can identify with some of those sentiments. How were you aware that the college existed? I'm a mother of four and I have to say I didn't really appreciate, until I did the background for this, that there was a college. Were you invited to submit an application?

Mrs Gosal: Actually I sent in a resumé to the Ministry of Health. From there, I got a call asking if I would be interested in sitting on the board.

Mrs Dombrowsky: I see. Have you had an opportunity to review any background at all about the role and the work of the college and the members?

Mrs Gosal: All I know is that the college has started to regulate the profession to make sure that the individual who needs help is helped by a competent professional. I look forward to further training, as I indicated in my opening statement.

Mrs Dombrowsky: Would you be familiar with the terminology of artificial barriers for those individuals who would be practising the profession of midwifery? In Ontario there certainly has been put forward the argument that there are artificial barriers in terms of enabling them to practise fully or to offer a full range of services in a way that is not sometimes problematic for the patient and also for the professional. There's a requirement that if in a delivery, for example, the patient would be in need of an epidural, they have to call in a doctor so that they can call in another professional to administer the epidural. The midwife, I believe, should professionally be in a position to determine whether a mom would need—

Mrs Gosal: Yes, I do understand. The midwife has to attend four years of college and attend about 60 births before she can practise on her own. But, as I said, I hope to learn more about it.

Mrs Dombrowsky: Do you see yourself as an individual who would advocate for the removal of those kinds of barriers?

Mrs Gosal: I feel if somebody is going to practise in this profession, they should be fully qualified for it.

Mrs Dombrowsky: I believe that as well, but some of the regulations around the profession can make that more of a challenge. I was just asking you if you would see yourself as advocating for removing some of those blocks or challenges.

Mrs Gosal: As I said, I'm not really familiar with the whole concept of it, but I would like to say that I would like to learn more about it in my training, and then from there I would go.

Mrs Dombrowsky: Do you think that the profession of midwifery has a larger role to play in the health care system in our province?

Mrs Gosal: I think so, since they are less expensive to get training and there would be more of a one-to-one consultation, and they would be more sensitive to the need of the patient.

Mrs Dombrowsky: Yes. I found it interesting when I did my research that statistics would prove that there is a lower percentage of postpartum complications—

Mrs Gosal: That's right.

Mrs Dombrowsky: —when a woman had the services of a midwife.

Are you affiliated with any political party?

Mrs Gosal: No, I am not.

Mrs Dombrowsky: You're not. I see. Very good. Well, good luck, and thank you very much for your time.

Those will be all my questions.

Mr Tony Martin (Sault Ste Marie): Thanks for coming this morning. Certainly this appointment is a very important one, in my view, as we look at the evolution of how we deliver health care in the province and when we consider some of the challenges that confront us. I'm always surprised when a profession that is as old as this one is finds itself in fill-in, in limbo, so to speak, where allowing it to actually do its full job is concerned.

When the government got its head around finally moving forward the Regulated Health Professions Act, and recognized midwifery as a profession that needed to be given room to grow but, on the other hand, to be regulated so it continues to be safe and people who access that service can feel confident that the people in it are professional and trained and experienced, the board that you're being appointed to, or asking to be appointed to, was established and it was decided across the board that it would be good to have people on these boards who aren't necessarily directly related or connected by way of a profession.

I note by your resumé and the comments you made in your introduction that you don't have a whole lot of experience, knowledge or understanding of the profession, but you were delivered by a midwife.

Mrs Gosal: Right, and, as I indicated, I would like to say that I look forward to the further training. I look forward to the training I will be provided.

Mr Martin: Other than that, is there any other particular interest that you have or knowledge or experience

that you bring to the table? You wrote to the ministry. They said, "Would you be interested in this one?"

Mrs Gosal: Yes.

Mr Martin: Did they present any other opportunities?

Mrs Gosal: No, they did not.

Mr Martin: This was the only one?

Mrs Gosal: This was the only one, yes.

Mr Martin: And you thought this would be something that you would—

Mrs Gosal: Yes. Like I said, I have been always interested in the profession. I came from India, and midwifery is a common practice there, so it's not like this is the first time I've heard about it.

1020

Mr Martin: Then you would be of the opinion that midwifery should actually have more room?

Mrs Gosal: I think so.

Mr Martin: What's your understanding of the role of the council that you're to be appointed to?

Mrs Gosal: I thought I already answered that question, but like I said, the councils are responsible for regulating the profession and making sure that that person is well-qualified in the field. I hope I get further training in my appointment to know more about the position.

Mr Martin: You'll understand that there are some real challenges out there today across the province, particularly where access to doctors is concerned. One of the things doctors do, certainly up in my part of the country, is in the area of obstetrics and delivering babies. There was a sense that if we allowed professions such as midwifery and nurse practitioners more room to actually practise what they're trained to do, that would take some of the pressure off. I note in some of the material that we were given here in preparing for today that an expert panel says, in looking at the whole area of midwifery and how it fits in the regulated health professions sphere, "Approximately 30% of midwife deliveries require some degree of intervention on the part of an obstetrician-gynaecologist. According to anecdotal reports, the interventions are often required for administrative rather than clinical reasons. For example, some hospitals place arbitrary limits on the number of midwives with hospital privileges or on the number of deliveries midwives can do. Because midwives are not allowed to consult directly with"—this is a big long word here; I can't get my teeth around it—"anaesthesiologists ..." I guess—

Mrs Gosal: Yes, anaesthetists.

Mr Martin: Anyway, I think you know it's the person who gives the drugs that put people out. You know the one—the one you last see before you go to sleep.

The Vice-Chair: Mr Martin, I think it's anaesthesiologist, and I don't have it in front of me.

Mr Wood: That's why you're the Chair.

Mr Martin: That's right. That's why we give him the good jobs. I won't even try it again.

Anyway, "... a midwife's patient who needs an epidural must be referred to a physician." And I can say "epidural," because my wife had four kids and I think she

had a couple of those. "If these artificial barriers were removed, midwives would be able to perform a larger proportion of unassisted low risk deliveries, thereby relieving the pressure on obstetricians." Do you have any comment on that?

Mrs Gosal: I think if the person is qualified to know when the patient needs some sort of drug to help them out with the pain, they should be able to make that decision.

Mr Martin: Do you think as a body governing that particular profession, you would or should have any influence in terms of, for example, hospitals giving more opportunity to midwives to actually have privileges and come in and practise their profession?

Mrs Gosal: I think so. I think that would be a big help to the doctors and, as I said, to the pregnant women to get more of a personal touch when they are going through the pregnancy than just going to the physician once a month and getting a routine checkup.

Mr Martin: Do you have any thoughts on how this college that you're going to be appointed to could or should interact with, for example, the college of physicians to try and ease some of the anxiety or concern there that midwives may be in fact taking over some of the traditional roles of the doctor?

Mrs Gosal: I think it's already being done. Like I said, I don't know very much about it, but if there is room for improvement, I think it should be done.

Mr Martin: You obviously see the further development of midwifery as an answer to some of the shortages of professionals.

Mrs Gosal: I think so, yes.

The Vice-Chair: Thank you, Mr Martin. We then move to the government side.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much for appearing. Something you said in one of your answers certainly interested me. You said you wanted to be appointed to this board to represent the people of Ontario and certainly people who are looking for these types of services. You said that it's because you have an interest in family and in children and so on. Can you just repeat that for the record again, please—your answer as to who you want to represent on this board?

Mrs Gosal: I would like to represent the pregnant women of Ontario because, like I said, I've been through the experience of being pregnant three times and I know what kind of services would be very useful to the pregnant person.

Mr Mazzilli: That's my only question, thank you.

The Vice-Chair: Any other government members?

Mr Wood: We will waive the balance of our time.

The Vice-Chair: Thank you, Mr Wood, and I want to thank you very much for appearing today. I hope you've enjoyed this.

Mrs Gosal: I did, even though I was very nervous.

Mrs Dombrowsky: You did very well.

Mrs Gosal: Thank you.

The Vice-Chair: We wish you well. We will deal with concurrence at the end of the session this morning.

IAN TURNBULL

Review of intended appointment, selected by official opposition party: Ian Turnbull, intended appointee as chair, Muskoka-Parry Sound Early Years Steering Committee.

The Chair (Mr James Bradley): Thank you to the Vice-Chair for his kindness. I was with the Minister of the Environment a short time ago—not at her invitation, I should tell the government members, but I was with her nevertheless.

The next is an intended appointee as chair of the Early Years Steering Committee of the Muskoka-Parry Sound health unit, Mr Ian Turnbull. As you've probably already heard, you have an opportunity to make an initial statement, should you see fit, and then the questioning is up to 15 minutes from each of the political parties represented on the committee. Welcome, sir.

Mr Ian Turnbull: Thank you, Mr Chair and committee members. I do have an opening statement.

I appreciate the opportunity to meet with you and discuss my nomination to serve as chair of the Muskoka-Parry Sound Early Years Steering Committee. When I applied to serve on the committee, my intent was to represent Muskoka's interests, and it was only last week that I learned that I had been nominated as chair of the committee. I look forward to the challenge since I believe that in large rural areas like Muskoka-Parry Sound, the development of effective citizen-serving systems requires a critical mass somewhat greater than each of the parts.

A challenge unique to this steering committee will be ensuring equitable consideration of early years needs in all of the communities of the two districts. I say that because while the two districts are neighbours, they're really very different. Muskoka has a larger population and three major towns, and Parry Sound has a smaller population and a larger geographical area. Our economies are similar but our governance systems are very different, with a regional government in place in Muskoka for over three decades. I make these points up front to simply emphasize that I acknowledge the different character and needs of the two districts, and I would pledge that in my role as chair I would strive to constructively meld the interests of the two districts into a whole.

My track record demonstrates some success in community capacity building. To a large extent, I believe that the aim of early years initiatives in the Ontario government is just that—to build community capacity in development of a seamless child-serving system. Recommendation 3 of the Early Years Study recommended that a local authority be required to administer integrated early child development and parenting programs. I believe that the design of the early years process will achieve that objective.

Three decades of experience in my work and my community have equipped me, I think, to serve the steering committee effectively. I submitted biographical information earlier, and I'm just going to touch on some salient points.

I joined the district of Muskoka quite a long time ago, in 1971, and I've been associated with community services programs since that date. In 1981, I was appointed administrator of the home for the aged, a long-term-care facility, and retained responsibility at that time for the social services department.

I would consider this moment in my career to be the most exciting, or one of the more exciting and challenging moments, and that's because I have some significant responsibilities which I'm very much enjoying. I am charged with developing our district municipality's role as child care system manager.

1030

We are in the midst of transferring social housing system responsibility from Ontario to Muskoka. We are facilitating ways and means of reducing homelessness in Muskoka, we are implementing Ontario Works program initiatives and we are expanding and replacing our long-term-care facility. We were delighted to receive news last week that we have the opportunity to expand it. It was great news.

In other aspects of life, I have a demonstrated record of community involvement, having served on the boards of the Muskoka Lakes Association, the Muskoka Lakes Museum, the Muskoka Heritage Foundation and the Ontario Municipal Social Services Association.

I realized on the way down that I left out one of the organizations which is close to my heart, and that's the Muskoka Steamship and Historical Society. I realized that by coming here today, I was missing an important event. This morning the hull of the second ship of the fleet was being launched by crane in Muskoka Bay in Gravenhurst. I've been quite involved in that and, darn it, I missed it. But it is delightful to be here anyhow.

There has never been a more critical time than now to align Muskoka-Parry Sound's efforts with the Early Years vision. Our service delivery organizations have only recently assumed child care system management responsibilities. In the process, we have met many children's services stakeholders and sense that all are ready to move toward a seamless child-serving system. Ironically, we are at a balance point in developing that system. With many initiatives underway at the community level, we either will move now to ensure a collaborative approach or risk developing in silos.

The cumulative impact of my experience has aligned my values with those articulated in the Early Years Study. I would like now to apply my energy and influence to seeing those values reflected in Muskoka-Parry Sound's response to the challenge. I believe I can assist in mobilizing the community, given the scope of my duties and my relationship with the communities of both Muskoka and Parry Sound. I will work to bring the interests of all stakeholders, especially parents, to the process.

I will close by saying that mobilizing the community around the Early Years vision and championing early child development is for me a perfect fit with vocational

and personal goals. I look forward to the challenge and your questions.

The Chair: Thank you very much, sir. We begin our questioning with the third party.

Mr Martin: Thank you for coming this morning. It is indeed if not exciting, a very challenging time, I would think, to be part of public life of this province. I note from looking at your resumé that you are the commissioner of community social services for the area. You don't see that, along with your being chair of this Early Years committee, as any kind of conflict of interest? There's no conflict there for you?

Mr Turnbull: I could perceive a potential conflict of interest in the event that I allowed better judgment to get in the way and I started advocating particularly for investment of funds in an area that I had responsibility for. I can only respond by saying that I think my record shows I don't do that, and I would not be doing that in this role.

Mr Martin: My biggest concern, and I've been stating it here over the last few months as we interviewed numerous people being appointed to these committees across the province, is that we have a problem in Ontario right now under the aegis of child poverty.

In 1989 the federal government, the Legislature, passed a resolution unanimously that we would do away with child poverty by the year 2000. It seems that back then one in 10 children was in poverty. Now, if you look at statistics that are put out by groups that are very sincerely looking at this, one of them being the Campaign 2000 organization, the statistics are telling us that actually one in 5 children now lives in poverty.

Certainly the kinds of programs that are being imagined under the aegis of this body that you're looking for appointment to as chair would be very directly important in the lives of a whole lot of families. I was into Huntsville about a month ago doing a people's parliament on poverty and heard from about 50 people over the course of an afternoon that Muskoka is an area that struggles. The income levels are not really high—a lot of service sector work in the area, a lot of low-income families and lots of challenges. What's your view of all that, given that you're the commissioner? Is there a lot of poverty in Muskoka?

Mr Turnbull: Yes. It depends on how one wants to characterize a lot. There is no question that statistically our average incomes are lower. We note that, I think it was yesterday or the day before, there was an article in *Macleans* and the figure is misrepresented. It is off. We don't know where they got it from but we won't argue about that.

There is no question that the average income in Muskoka is lower than in many areas of the province. That is a direct result, in our view, from the service system side, if you will, of the nature of employment and the nature of wages which are paid. That has contributed, of course, in many ways to affordability issues around housing, which we're acutely aware of because of our efforts to address homelessness.

I suppose my response would be that we're very aware of the average level of income. We have done in our area what we can to support individuals who have a low income so they can access improved employment through training etc. We have removed completely, I would say—well, no, we can't remove it completely. We have no wait list for child care. We think that's a critical step, for example, so there is not any wait list for access to subsidized child care in Muskoka, and that is a very conscious policy decision, supported by Muskoka district council, to provide access to individuals able to work to improve themselves.

Through a range of programs, what we're attempting to do is to develop the multifaceted support system that's out there for all families, to address that issue which we believe is there. Ironically, the most important thing that can be done is something which is sort of aligned with it but beside my area of endeavour, and that's economic development. That's probably the long-term way in which we're going to improve the average incomes and therefore the well-being of our people.

Mr Martin: Are you aware of the Early Years Study?

Mr Turnbull: Yes, I am.

Mr Martin: In there it says, "People involved in community initiatives spoke often" in meetings leading up to the release of that study "of having to deal with the basic needs of families first. A family who does not have a place to live is not going to be able to provide a stable home environment for the children. This message was reinforced by provincial children's services organizations who spoke of their member agencies seeing more children who are going hungry, children who have to be taken into the care of children's aid because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence.

"The reduction in 1995 in social assistance benefits has probably increased the number of children below the low-income cut-off point. Homelessness is affecting some families and children in some centres because individuals cannot afford market rents and there are waiting lists for subsidized housing and there have been no not-for-profit housing initiatives in this province since 1995. We're not in a position to judge the scale of need in this sector, but these issues clearly contribute to some of the difficulties of some families at the lower end of the socio-economic scale."

What they're saying here is that some of the initiatives of the government that's in place today, such as the reduction in the level of income for people on Ontario Works and the fact that there hasn't been any investment in affordable housing for the last six or seven years—what would be your view of that? And if you discovered in Muskoka that that in fact was the case, would you be encouraging your group to lobby government to change those initiatives?

Mr Turnbull: I don't know if we would be encouraging, for example, development of affordable housing through the Early Years Steering Committee unless there was no action being taken by local communities. I say

that because we have been, through the organization I work with, very active in advocating very strongly steps which we believe will lead to increasing the supply of affordable housing. I can detail those, but we've done a series of things in addressing homelessness to alleviate the situation people in Muskoka face.

Also, and equally important, we're taking quick steps to find out what we need to do to expand the supply of affordable housing. If local governments were not taking on that responsibility, and I believe that's where it's assigned, then through Early Years certainly we'd be encouraging that in a way that was appropriate. But I've seen the Early Years, and the developing of a child-serving system. While it would not exclude an issue like homelessness, I think it is aiming primarily at the support systems that are in place for children one to six, in the broad perspective, not just one particular area.

Homelessness, housing in itself, income support issues clearly have a home in municipal governments and the responsibility there under the direction of the provincial government. We have encouraged those groups to take forward those responsibilities.

1040

There is no question that all the problems you have identified are significant. I think my role, in both my job and as chair of this committee, is to advocate and urge action to do the job well through those who have responsibility for addressing those needs locally.

Mr Martin: If you found out that in the shifting of responsibility—that obviously has happened to municipalities in a lot of those areas—the money didn't come as well and that in fact the municipality and local governments were struggling to now pay for a whole array of things that they weren't expected to pay for before and that the victims of all of that were low-income families and their children, would you be then willing to send a message to the provincial government that they're not carrying out their responsibility as I believe the people of Ontario expect?

Mr Turnbull: The answer is: I would not be willing to personally send that message. I would be very willing to recommend that message to a council that I was accountable to. If the Early Years Steering Committee were of a mind in the majority that such a message should be sent, then I would support sending that message. But, no, I'm not going to stand up as an individual, without that kind of authority in the committee, from the balance, and send such a message.

I'm going to try and keep clear here my job and the Early Years. In my job, what I will do is identify with data what a situation is locally and make a recommendation through a standing committee to a council. Should it be that, in the majority opinion of those individuals, a recommendation should go forward, they make the recommendation; I simply supply the information and perhaps some of the rationale behind that recommendation. In respect to the Early Years committee, should it be that our findings, our research and our mandate would lead us to making such a recommendation, I'm sure we would do that.

Mr Martin: One other phenomenon that I discovered over the last number of months, as I delved more deeply into the whole area of poverty and how it affects families, is the clawback of the national child tax benefit, which you're probably fairly familiar with because some of that money is used, 20% of the holdback is used, by municipalities to provide some good services in areas.

The bigger question and issue for me is, the federal government launched that initiative, the supplement, to help low-income families. It turns out that they meant low-income families who had jobs. There are still a significant number of low-income families with children who don't have jobs for various legitimate reasons in many instances, and they're losing that money. They get the cheque from the federal government, as you know, in the middle of the month; at the end of the month it's reduced from their Ontario Works or Ontarians with disabilities work program cheque that goes out to them. It is sometimes fairly significant, particularly if a family has two or three children. It is, on average—what?—\$80 per child per month and can add up to a couple of hundred dollars, which buys a lot of bread and milk or could go a long way to providing some clothing.

What's your view? Is that an appropriate vehicle to be using? I'm trying to understand why you would take that money away from those very vulnerable and at-risk families. The only thing I can come up with is that it is used as an incentive, a bit of a stick to force those folks into more gainful employment. Do you see it as an appropriate tool to be using?

Mr Turnbull: I'm really not able to comment on the appropriateness of the tool, because the decision was made by policy-makers and other levels of government beyond us. What I can comment on is—and I've had to answer this question many times to local councillors—I'm not in a position, neither do I want to take a position which says, "Yes, senior government has made a good decision," or, "They made a bad decision." They made a decision; that is their right.

I look at the opportunity that we have to work with that decision locally to do good things. We believe that through the reinvestments we've been able to make through those savings that we've in fact been able to help a great number of individuals who may have lost that from social assistance. But we've been able to invest those municipal tax savings we think very effectively in developing programs to address child poverty.

I really am unwilling to comment on a policy decision at a senior level either by the provincial or federal government, but I am quite willing to say that locally the reinvestment in Muskoka has done some very good things in developing the system in a sustainable way to address child poverty.

The Chair: Thank you, Mr Martin. That completes your questions. Government?

Mr Wood: We will waive our time.

The Chair: The government has waived its time. The official opposition.

Mrs Dombrowsky: I read your resumé with some interest. There were a couple of statements you made in the body of the letter that piqued my curiosity. I would ask if you might be able to assist me with some clarification. You've indicated that you have been a child care system manager and the child care system responsibilities were intentionally listed first because they are the most challenging. You go on further in the paragraph to say that you quickly learned that the system was fragile yet essential. I was wondering if you might just explain why you would call it fragile.

Mr Turnbull: OK. To go back maybe just a couple of steps. We assumed child care system management in April 1999. Our first challenge was to learn, as extensively as we could, the nature of our responsibility. The way to do that, in our view, is to call the people together who have responsibility for delivering child care. We started a child care advisory group, and we frankly went through close to a year of monthly meetings where the individual providers of child care services across the board stood up and gave us the strengths, weaknesses, opportunities and threats from their perspective as operators of the system.

Through all that we learned that for most of the providers—and they are businesses; some are non-profit and some are for-profit—of regulated child care, it is a rather thin edge. They sometimes resort to bake sales to pay the bills. They sometimes struggle with staffing. It's a difficult business to be in. You'll note that I have an interest in long-term care where there is a fairly heavy regulatory approach to standard of care delivered to vulnerable people. In my view, there are similarities in the child care system.

What we learned along the way through that process was a number of things. The businesses which are charged with delivering regulated child care have a tough go. We now have a role in providing subsidy to them through the wage subsidy program. We find that a great challenge, a huge challenge. We also find they sometimes struggle with exactly how it is they can measure the quality that they choose to deliver.

The statement around fragility is based primarily on market conditions, our ability to flow wage subsidy to them and their ability to maintain the bottom line, on a side that's black and not red, on an ongoing basis.

Mrs Dombrowsky: You also talked about the child care services in Parry Sound-Muskoka. You were very proud, and I commend you on the fact that you don't have a waiting list, because I'm sure you are aware that is not typical across the province. In many communities there are waiting lists of some thousands of families who are looking for that service. I'm interested to know the kind of service you offer in your community. Is it centre-based or home-based?

Mr Turnbull: Both.

Mrs Dombrowsky: Is it all regulated?

Mr Turnbull: No, because there's a large informal system. That's the only way I can answer that. There is a significant licensed system, of course, of centre-based care. There is an approved system of private home care.

Mrs Dombrowsky: But it's not regulated in home care.

Mr Turnbull: Yes, private home care is regulated through the Day Nurseries Act and through a large—well, we actually have two home care providers, but yes, there is an approved system. Then there is the informal system—

Mrs Dombrowsky: Yes.

Mr Turnbull: —and, of course, it is not regulated.

Mrs Dombrowsky: No. In the background material that you've received I'm sure you are familiar with the federal child development accord that was signed in September 2000—

Mr Turnbull: The national child's agenda? Yes.

Mrs Dombrowsky: —where \$2.1 billion was provided by the federal government to the provinces over the next five years. Ontario will receive \$844 million over the next five years. The first instalment was \$144 million. We learned on May 10, the day of the budget, that the \$30 million for the challenge fund will be part of those federal dollars. Do you have an opinion at all on the fact that the challenge fund was an initiative that was announced some months ago and the government committed \$30 million, and that with the introduction of federal money there were no additional dollars set aside to support the challenge fund initiative?

1050

Mr Turnbull: I am delighted to see, and from the community level that I work within we are very pleased to see, any government's investment in the child-serving system.

Mrs Dombrowsky: Would you be able to comment about whether you think there has been enough dedicated in this fund to assisting communities to meet the needs?

Mr Turnbull: We would always like to see more invested, always.

Mrs Dombrowsky: Do you have an opinion on the fact that with regard to those dollars that have come from the federal government that will support programs for children in the province of Ontario, no money was dedicated for child care?

Mr Turnbull: I'm aware of that, and that concerns us immensely, to be frank. What we are doing about that—we do what we can do with the tools that are available to us, and the tool that is available to us in Muskoka is called property tax. So I have recommended to council that we dramatically increase our share, and it is now about 43% of the fee subsidy, which is the way we're able to maintain no wait list. It's no longer an 80-20, and I'm exceedingly proud of the fact that council has accepted that. So we will look for revenue from wherever we can get it to build a system that serves children's needs in a way that's consistent with the principles you see in the Fraser Mustard report.

Mrs Dombrowsky: Do you have an opinion on the fact that the challenge fund is also contingent upon business or corporate participation within the community? Is there an issue for you that perhaps there would be a lack of universal service across the province, as some

communities would be much better resourced than others?

Mr Turnbull: I would have a concern about that because that could readily develop, I suppose, in that circumstance. On the other hand, I very much like the design principle. We've been working very much more closely with businesses over the last number of years for a whole variety of reasons, and we found this works very well. There's been much better buy-in to community health, community well-being, holistic communities etc, through involvement of the many stakeholders in the community. At one time, a decade or two ago, we were quite isolated in the work that we did. I think it's healthier to have them there. How it plays out depends how well we do things locally, I think.

Mrs Dombrowsky: So you would have those contacts; you would be known within those circles within your community?

Mr Turnbull: Yes. I want to stress that I'm known in Muskoka. Parry Sound is a good neighbour and I'm there a great deal, but it's about an hour and a half to the top of it from where I live.

Mrs Dombrowsky: You've also indicated—this is in the body of your letter—that you believe in the values of the Early Years Study. I just wonder if you might articulate what your perception of those key values that were presented in that study would be. I think your answers to me this morning have demonstrated where your priorities are, but—

Mr Turnbull: Well, I have grown tired, if you will, over the years of attempting to deal effectively, assisting people to deal effectively, with problems which in fact were known at the beginning and weren't at the time, for whatever the reason, able to be solved. So we have found ourselves working with families and children where, in our view, had there been an earlier investment, had there been an earlier case management system to deal with things effectively, those individuals would not have needed to resort to our service.

This is an opportunity, and we learned a long time ago—and frankly, we embraced the Healthy Babies, Healthy Children program and we have done everything we can to get that ramped up as fast as we can because that's where it should be. I lament the fact there's not universal funding for it and there's not guaranteed funding for it, but we're doing our darndest to get it there because that is, for example, a key point.

Having said that, what we have found and what we've been struggling to do in Muskoka, in co-operation with the health unit, is just to build every last service we can at the earliest possible time. Frankly, we were doing a little bit of that before 1999, because we knew that that's where it lay. So it seems to me in Early Years, the values of being exceedingly effective on early assessment right up front, as soon as possible, and then getting those resources in there, which for us is a challenge because of large rural areas, and it is a challenge because a lot of the specialty services aren't as well developed as we would like them to be and there are wait lists and the like. But

bringing that together under a seamless system, as so much advocated, is what we like.

In order to advance that, we had Kathleen Guy in, quite independent of any of this activity. I don't know if you know Kathleen Guy. She's quite an advocate in the Ottawa area. We hosted a community forum on the need for really developing a child-serving system. The spark that it ignited in Muskoka was really quite exciting. An awful lot of people came out. That initiative is kind of stalled now that Early Years is on the way. We are going to see which is the one that the energy should consume.

Mrs Dombrowsky: I really like—

The Chair: Sorry. I have to cut you off now. That concludes your time.

Thank you very much, Mr Turnbull, for appearing before the committee.

LESLEY SHIMMIN

Review of intended appointment, selected by official opposition party: Lesley Shimmin, intended appointee as member, Early Years Steering Committee of the Haliburton, Kawartha, Pine Ridge District Health Unit.

The Chair: Our next intended appointee is as a member of the Early Years Steering Committee of the Haliburton, Kawartha, Pine Ridge District Health Unit: Lesley Shimmin. Welcome to the committee. As you are probably aware, you have an opportunity if you wish—you may exercise this or not, whatever you wish—to make an initial statement.

Mrs Lesley Shimmin: Thank you, Mr Chairman, members of the committee. My name is Lesley Shimmin. I lived and worked in Toronto for about 30 years before retiring three years ago to Brighton, which is a very small town in Northumberland. I love the way of life there and find the people very enterprising and independent. I would like to work within the community a little more and assist in any possible way.

We were lucky enough, my husband and I, to have three children. Although it took me many years to realize this, we were lucky enough to have each one at a different level of achievement: a gifted child who needed a lot of extra stimulation; a sports-minded child who could have cared less about academic achievement; and a severely learning disabled child who needed physiotherapists to teach her how to crawl when she was a baby.

While they were young and growing, I worked with the local public school, with the Beavers, the Boy Scouts and the Girl Guides. I inaugurated and ran a gifted program in the local public school and volunteered for several years at a preschool nursery for mentally and physically handicapped tots.

I strongly believe that parenting skills are the keystone or determining factor in a child's development and that they are responsible mostly for the success in a child's life academically, socially and physically.

I look forward to learning what programs are available to enhance these parenting skills in Northumberland and

to assisting the committee to set in motion any that are lacking. I have time on my hands now that I am retired and I would dearly like to get back to these past interests. I believe my many years of researching, solving problems and dealing with people would be a positive asset for a position on the Early Years Steering Committee, and I'd be pleased to answer any questions that you might have.

The Chair: Thank you very much. We will begin with the government caucus.

Mr Wood: We will waive our time.

The Chair: Mr Wood says the government caucus will waive its time. We will move to the official opposition.

Mrs Dombrowsky: Good morning, Mrs Shimmin. I would ask if maybe you would explain how you have come to be appointed. I know that there were, in all communities across the province, ads in the paper. I also know that some people were recommended personally. How have you come to this point?

Mrs Shimmin: As you realize, I have many friends in the government. I talked with Doug Galt many times about some kind of volunteer position, because I didn't feel it would be appropriate that I get a paid position, but just in the neighbourhood, in the county and in his riding where I could assist people.

Mrs Dombrowsky: Just any position where you might be appointed?

Mrs Shimmin: Yes, any position. He sent me a lot of information, and this one appealed to me greatly.

Mrs Dombrowsky: OK. Very good. You've indicated he sent you a lot of information. With regard to the challenge fund and the challenge fund initiative, would you have received any information about the federal early childhood development accord?

1100

Mrs Shimmin: Not that I recall, but I believe they have given each province some money.

Mrs Dombrowsky: Actually quite a bit of money.

Mrs Shimmin: Quite a bit of money. I don't know how much. Especially with the idea that it be used in early childhood programs.

Mrs Dombrowsky: Yes, it's very interesting that it came as part of the federal health accord, when the ministers of health went last fall to the federal government to say they needed more help in terms of supporting the health care system. The federal government said, "We believe it's very important to effectively address health care needs in our community to begin assisting the youngest and families, to be proactive." So it was sort of out of those kinds of discussions that the federal government, as part of the health accord, dedicated a significant amount of money to support families and children across Canada.

They dedicated \$2.1 billion, and over the next five years Ontario will receive \$855 million. On April 1, Ontario received \$144 million, and it is out of that federal money that we have the challenge fund here in Ontario; it is being supported with those dollars. So certainly I

believe that any money we spend on children is money very well invested, and I'm delighted that the federal accord has made that possible.

I'm particularly interested in a number of family needs within communities. Are you familiar with the child care needs within your community? Are there waiting lists? How are child care programs administered? Is it centre-based? Is it home-based? Is it regulated?

Mrs Shimmin: I believe there are all three kinds. I am not sure of the number of spaces that are being allocated or waited for.

Mrs Dombrowsky: Do you have a preference or do you have an opinion about regulated child care as opposed to unregulated? Do you think one might be better?

Mrs Shimmin: I believe parents should have a choice, but I also believe that people who need daycare and don't have it should have the opportunity to have a daycare space.

Mrs Dombrowsky: It can be that regulated care is more expensive. So you can appreciate that unless you're able to access a subsidized space, you may not have a choice.

Mrs Shimmin: I realize that.

Mrs Dombrowsky: You appreciate that regulated space, though, provides some security and some guarantee for families in terms of the quality of care of their children. Would you, in your role, be an advocate for a particular delivery model?

Mrs Shimmin: Well, I would first like to find out the statistics in Northumberland, and eventually, yes, there should be daycare available for those who need and want it.

Mrs Dombrowsky: We've talked about the money from the federal government. The province has put in place a plan in terms of its expenditure in a variety of programs. Not a penny of it was directed toward daycare.

Mrs Shimmin: Aren't there many other programs that need it probably just as much?

Mrs Dombrowsky: That's interesting that you would bring that forward, because when the federal government provided the money, there were four areas that were designated that would be legitimate areas for expenditure. Of the four areas, daycare or child care was one of them, although unfortunately that has not been the plan of this government.

I just wondered if, as a member of the steering committee, you might be inclined to press for—

Mrs Shimmin: I have no idea at the moment what I would press for. I really would first have to confer with the committee, add my opinion, research the statistics and learn about what is needed and what isn't.

Mrs Dombrowsky: Northumberland county covers some geography. Would it be your expectation that with the establishment of the family parenting centres they would be located throughout the jurisdiction or would there be—what's the main community in Northumberland?

Mrs Shimmin: They would have to be scattered throughout. There are many people without even transportation to go any of these long distances who might need them.

Mrs Dombrowsky: You would say they have to be?

Mrs Shimmin: I think so.

Mrs Dombrowsky: I'm a rural representative too. I think it's very important that some of the rural communities would have access, but that is an issue, transportation, in many parts of the province.

Mrs Shimmin: Certainly it is.

Mrs Dombrowsky: Are you familiar with the Early Years Study that was commissioned by the government?

Mrs Shimmin: No, I'm not familiar with it. I certainly have heard of it, but I know very little about it at the moment.

Mrs Dombrowsky: That was the document that was written by Dr Fraser Mustard and the Honourable Margaret McCain.

Mrs Shimmin: Oh, and Margaret McCain?

Mrs Dombrowsky: Yes. The Early Years Study: Reversing the Real Brain Drain is the title of the document. Really, it has been recognized internationally as a significant piece of work in recognizing the importance of supporting families and children at their earliest stages. Are you familiar with the Campaign 2000 document?

Mrs Shimmin: No. Campaign 2000?

Mrs Dombrowsky: Campaign 2000.

Mrs Shimmin: They're not a government body? They're a special interest group, aren't they?

Mrs Dombrowsky: They're a group of people who are interested in the poor and the fact that we continue to have child poverty particularly. They have a report that clearly indicates there are many families that continue to be at risk; in fact, there are more families that continue to be at risk. We know children especially do not perform well when they are from an environment that is poor, where they don't have enough food or they may not have a home in which to live. Do you have any sense in your community and in Northumberland county if that is an issue? Is homelessness an issue? Is child poverty an issue?

Mrs Shimmin: I don't know about homelessness in Northumberland, but child poverty has been with us forever.

Mrs Dombrowsky: It's worse now.

Mrs Shimmin: Yes, it probably is. It's an issue in a young child's life as to why they don't learn or prosper in school, in that arena. But there are lots of other issues too. It has to be dealt with but in context with everything else.

Mrs Dombrowsky: I thank you very much for your time today.

The Chair: The time for the official opposition is unfortunately concluded, and we now must go to the third party. Mr Martin.

Mr Martin: Thank you for coming this morning and for volunteering after many years of hard work on behalf of the province and the government.

The establishment of this framework across the province to deal with early childhood issues is an issue that I think is very important and key. I'm concerned. It has tremendous potential, but it may not achieve that potential if it doesn't have the strength of character to deal with some of the issues that I feel—and others may not, but certainly for me it's a priority—are key or central or fundamental to anything we will do in the area of early childhood development, which is dealing with the issue of poverty and children, because in a most direct way any child coming to school hungry or not having a proper home that's safe and warm will be behind the eight ball before they even start. If you put a significant number of children from that kind of background into a school, it also draws from the ability of that school to actually reach its potential as well.

The issue of child poverty was referenced earlier. Campaign 2000, yes, they're a special interest group. They're especially interested in the issue of poverty. They were formed after the federal Legislature in 1989 passed the unanimous resolution that they would do away with child poverty by the year 2000. But the statistics they've put out say that where we had one in 10 in 1989, we now have one in five. How important will that be for you in the work you will do on this committee?

1110

Mrs Shimmin: On child poverty?

Mr Martin: Yes.

Mrs Shimmin: It will be very important, just as important really as all the other issues that come up. A child can't learn if they're hungry, if they don't have an adequate home, but by the same reason, a child can't learn if they've been totally ignored by their parents, both of them working all day and then going out every night. That's no basis for a child to learn either.

Mr Martin: Yes.

Mrs Shimmin: There are a lot of issues. Certainly child poverty will be one of the highest. That's all I can say.

Mr Martin: If you discovered in your analysis and work and study, which I'm sure you will do as you come to the table in this capacity, as the folks who put the Early Years Study together discovered, that in fact poverty was a huge issue and that, as it says here, there were member agencies who spoke to the Early Years Study as it travelled the province who said they're seeing more children who are going hungry and children who have been taken into the care of children's aid societies because the family is homeless, and the list goes on, and you discover that one of the reasons for that is that the decision the provincial government made in June 1995 to reduce the income of people on assistance by 21.6% is contributing directly to that, would you be willing to support a recommendation from your group to the government to maybe take a look at that again?

Mrs Shimmin: I really can't answer that. I do know that when the government reduced the amount of welfare it gave to families, it reduced it only to the level the rest of Canadians were getting. I'm not in a position to give direction to the government. I don't understand all their policies. Some I like; some I don't like. It might be an issue with the committee. I'm really not sure.

Mr Martin: Let me share another reality that's confronting a lot of families out there that I speak to on a regular basis now. I've taken on a bit of a project to try to understand the nature and the causes of, and perhaps take a look at what we might do together to relieve, some of the poverty that's out there. But there was a program put in place by the federal government a couple of years ago in response to that resolution of 1989 that added to the child tax benefit that we all get if we have children. I have four children at home, but my income is such that I don't qualify for the supplement they introduced that would go to low-income families. The provincial government—and this provincial government isn't alone. There are governments across this country, including some NDP governments, who have in their wisdom decided that they would claw back the supplement which is going to low-income families. It averages out to about \$80 per child per month. It's significant to a family on assistance. If you had two or three kids, you're talking \$150 to \$250 a month. That buys a lot of milk and all that. This government and others have decided to claw back that money, dollar for dollar, from families who are on assistance or who are on the Ontario disability support program. Do you think that's right?

Mrs Shimmin: What do they do with the money? They can't just fix the roads with it. They must use it in children's programs.

Mr Martin: They are: 20% of it stays in the municipality and 80% of it goes back to the province. We're told—and I have no argument with this—that the money is being used to provide some very valuable programs in communities, some of it going to daycare, some of it going to Healthy Babies, Healthy Children, this kind of thing, which are good programs. Maybe my thinking is wrong, but it seems to me that a government that has been promised and actually received a portion of some \$900 million for early childhood programming and has now, by way of their fiscal plan, generated some billion dollars in surplus and has announced in the budget of a week or two ago that another \$4.2 billion is going to be given back to corporations might be able to find that money someplace else other than taking it away from some of our more vulnerable and at-risk children re this supplement from the federal government.

Mrs Shimmin: I don't know what kind of programs they are funding with this money. Obviously, they're designed for children and surely they do children and families. Perhaps they enhance parenting skills in some of the more poverty-stricken families who might not be too interested in parenting because they have other problems. That, too, I would have to investigate and find

out exactly what they were doing with it before I had an opinion on it.

Mr Martin: The issue for me is, again, to go back to it—and you're right. Some of the money is being used to provide some really valuable and important programs, but that should be funded, in my view, from another source rather than taking it out of the pockets of families trying to put food on the table for hungry children.

Mrs Shimmin: I've never worked in finance so I'm really not sure where the money goes or how much goes. Perhaps you're right.

The Chair: Thank you very much. That concludes the questioning. Thank you for appearing before the committee.

PATRICIA MCCARTHY

Review of intended appointment, selected by official opposition party: Patricia McCarthy, intended appointee as member, Early Years Steering Committee of the Haliburton, Kawartha, Pine Ridge District Health Unit.

The Chair: The next individual is an intended appointee as member, the Early Years Steering Committee of the Haliburton, Kawartha, Pine Ridge District Health Unit, Patricia McCarthy. Welcome to the committee. You have an opportunity, should you see fit, to make an initial statement or not, whatever you choose.

Ms Patricia McCarthy: Good morning, Mr Chairman and members of the committee. Thank you for inviting me to meet with you today. My name is Patricia McCarthy. I am a retired teacher-librarian now living in Brighton, Ontario. My teaching career began in Welland, in the Niagara area, in 1958 at the elementary school level. I later moved into teaching high school in London, Ontario, and moved to Toronto in 1963, where I taught high school until 1968, when I resigned my teaching duties to become a full-time mother of a son and daughter for the next seven years.

In 1975 I returned to the elementary school system in Markham as a teacher-librarian, working with students from JK to grade 8, until my retirement in 1996. As a teacher-librarian, my focus was literacy: reading, writing and research skills.

I worked closely with the primary division teachers on developing a parents' reading program with their children, supported the reading recovery program in grade 1, which identified children with early reading difficulties, and worked on a one-to-one basis with students from grades 2 and 3 who were experiencing reading difficulties. I initiated and ran a reading circle program for students from grades 2 to 6 one night a week after school for an hour, for three years. This program was very successful as it required parents' permission and co-operation.

I was a resident of North York from 1963 to 1996. From 1994 to 1996, I became involved as a volunteer with Fairview library's after-school program to help students experiencing reading difficulties, in which I worked with a student on a one-to-one basis. I also

worked as a volunteer for one year in an evening program run through Fairview library with adult immigrants wishing to improve their literacy skills in the areas of reading and writing.

I moved to Brighton in July 1999. In January 2000 I volunteered one morning a week at the Brighton public school in the library, helping a grade 1 student who was experiencing reading difficulties. Currently I am volunteering one morning a week at the Brighton Public Library helping to bar-code their collection for automated circulation. I've been appointed to the corporation of Brighton's library board for a three-year term and serve on the public relations and fundraising committee on that board.

I am honoured to be considered for a position on the steering committee for the Early Years initiative. Children have been my lifelong interest, particularly young children. I am a grandmother of a 2½-year-old granddaughter and 9-month-old grandson. Children continue to teach and delight me. Investing in our children is the best investment we can make for our future.

Members of the committee, I would be pleased to answer, to the best of my ability, any questions you may pose.

1120

The Chair: Thank you very much. We begin the questioning with the official opposition.

Mrs Dombrowsky: You've indicated in the material you sent to us that you are familiar with the Early Years Study and the recommendations of the Fraser Mustard report. Certainly some of the comments you've made so far I think indicate that much of your own life experience is consistent with what would be recommended there within that document. Mustard talks about community hubs and the importance of the school within many communities, or that a natural hub within many and most communities would be the school. Do you have any ideas on how the school might better be a community hub than might be the case right now?

Ms McCarthy: It's interesting that you raise that question because I was just thinking the other evening that our schools are really underused in many ways. Certainly it could be used as a hub for projects.

Mrs Dombrowsky: Do you have any specific ideas on how they might be better used?

Ms McCarthy: It would depend again on the area, on the accessibility. We hear so much about schools that have declining enrolment, so obviously there are empty spaces. Also, once school is finished, what use is the school being put to? Sometimes there are community colleges that have courses. But I'm sure there are times when the buildings could be used.

Again, if we are talking about parents and working parents, evening would be an ideal time to use these buildings that are already there and with which the community is familiar. And it would save the expenditure of any further infrastructure. I think it is excellent.

Mrs Dombrowsky: Does it make sense to incorporate child care centres into schools?

Ms McCarthy: Oh, definitely.

Mrs Dombrowsky: There were governments that thought that was important, but there are challenges now. The funding formula actually penalized boards if they did not allocate space within their building as instructional space. Do you think the provision of child care is child instruction?

Ms McCarthy: I'm not familiar with the child care programs but I'm sure there is an element of instruction. It seems to me, just going back to the board that I was employed with, that any of the new schools that were put up in the last, say from 1990 on, yes, there seemed to be a section of that for child care.

Mrs Dombrowsky: As a matter of fact, there was at one time a requirement that any new schools must include child care space. That no longer is the case. In fact, schools would be penalized if the space is not used strictly for instructional purposes.

It strikes me as strange that in many communities in Ontario community schools are closing because not every square inch of the school is a classroom space, yet we have in these same communities literally thousands of families looking for child care spaces and they are not to be had. In many cases, it is because they don't have an ideal location in which to locate these centres. It is an observation that is being more regularly made now, at the present time.

Are you familiar with the federal child development core dollars? Are you familiar with that initiative that the federal government embarked upon with the provinces in the fall of last year?

Ms McCarthy: Yes.

Mrs Dombrowsky: So you know that Ontario is especially blessed to receive a significant amount of that money. When I say especially blessed, of course, the allocation is on a population basis. That is why Ontario received a significant amount of money that was allocated to provinces specifically for meeting the needs of families and children. Are you aware that with money that has come to Ontario not one cent has been designated for the support of child care?

Ms McCarthy: I was made aware of that when you were discussing this issue with the lady who went before me.

Mrs Dombrowsky: I'm sure that with the role you will assume, that is going to be an issue you will face in terms of how you might assist families within communities to access affordable child care. You are familiar with the fact that there are regulated child care services within communities and unregulated services. Do you have a particular position on whether all families should have the opportunity to access regulated spaces?

Ms McCarthy: I would like to take the privilege of withholding any remark with respect to daycare—

Mrs Dombrowsky: OK.

Ms McCarthy: —except to say that—

Mrs Dombrowsky: I was saying "child care," and you say "daycare."

Ms McCarthy: There was one thing that I would be most curious, from some research information that I did,

to look at. That would be the Quebec situation in which they have found allotments, I believe it is, for the Quebec approach to child care in which they have regulated spaces—I'm very curious about that—for four-year-olds in either centre-based programs or family child care homes. I understand that this program has been accepted by the report that was made and by a number of other groups that are concerned about children's welfare.

Mrs Dombrowsky: Certainly, what is most attractive about the Quebec model is that it is a plan of regulated service, but it is a plan that is universally accessible for \$5 a day. So it's not a means-tested plan; wherever you live in Quebec and whatever your income would be, you would be able to access regulated spaces at \$5 a day. As you can imagine, in Ontario, where even access to regulated space can be a challenge and in many communities they are several thousands of spaces short, that is a most appealing scenario.

How is it that you have come to be an appointee to this committee? Did you see an ad in the paper? Did someone invite you to submit an application?

Ms McCarthy: My next-door neighbour, whom you just interviewed prior to myself, knew that I was interested in volunteering and working with children because of my past experience in teaching and that I had worked as a volunteer last year in Brighton public school. So she gave me the information to read and I thought, "Oh, great, literacy," because that is a strong point with me. So I thought, "Fine, I'll just send in an application and see what happens."

Mrs Dombrowsky: Do you have any political affiliation?

Ms McCarthy: Absolutely not, and I might say I do feel that all political parties should make children's issues a top priority in their programs.

Mrs Dombrowsky: Very good. That would conclude my questions.

The Chair: We now move to the third party. Mr Martin.

Mr Martin: Thanks for coming this morning. My concern, as I expressed to the woman who came before you, is that the government is moving to sort of entrench an attitude where early childhood education and families are concerned. It is starting to produce a result that should be disconcerting to a lot of people, and that's in the area of child poverty and families struggling to meet the basic needs, and also where education is concerned.

I was interested in your background in education and your obvious skills and appreciation of the very important work that goes on there. Just to share with you and get some response, because it reflects my concern very clearly, recently Dr Mustard, who is one of the authors of the Early Years Study that was referenced earlier, gave a speech to the Probus Club in Brantford in which he criticized the Minister of Education for suggesting that students' poor scores on the province-wide tests administered by the Education Quality and Accountability Office were the responsibility of teachers and the school system. Dr Mustard argued that the Early

Years Study research demonstrated that students' test results reflect a host of factors, including parenting. He said society cannot expect the school system to fix all of its ails. What would your perspective on that be?

1130

Ms McCarthy: I would agree with him 100%. If people are going to have children—you know, it's really interesting when you look at what we need licences for. We need a licence to drive a car, to drive a plane, to start a business, but nobody needs a licence to be a parent. There are many people who would love to be good parents, but they just don't have the skills. They don't know how to do this. But basically, parents are responsible for their children. I think this is why some of our school systems today are overloaded with burdens that shouldn't have been put on them in the first place.

Mr Martin: Just let me share another scenario with you that I've been struggling with, and it's the attitude of the government, on one side, that as taxpayers we should have more control over the money we make and more decision-making power over where we spend it. Yet, when it comes to poor families by way of some of the initiatives they've put forward, they tend to believe that when families are poor, they aren't going to be as responsible in terms of how they spend their money and so they're taking it away from them and then deciding, as government, how they will spend it on their behalf with the view that this will somehow improve the circumstance or the situation for families.

What we're hearing from Campaign 2000, which we referenced earlier, and from a piece out of the Early Years Study, indicates that agencies are seeing more children who are going hungry, children who have been taken into care of children's aid because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence.

This government took 21.6% out of the income of our most vulnerable and at-risk families and just recently decided to claw back on average \$80 to \$100 a month per child from families getting money from the federal government through the national tax benefit supplement and introducing their own programs, which I think are actually very good programs, but paying for them with the money they're taking away from some of these families who need it to provide basic food and shelter for themselves and their children. What would be your view on that?

Ms McCarthy: If I understand you correctly, Mr Martin, you're saying a certain amount is being clawed back from individual families and that money then is being turned over to regions and spent, I guess, on a needs-assessment basis on programs that the children in those areas need.

I would have to say that if we look at it in another way, when you have a large pool of money, it frees you up to provide a lot more than just one single—for example, if I had \$100 each month and was trying to accomplish a certain number of things, I would be a bit hamstrung, as opposed to being in a community where

there were, say, 20 people and we pooled the \$100 each. I think we would be able to experience a wider variety of activities, programs, whatever, than just being left up to the individual trying to perhaps come up with similar resources.

Mr Martin: That would be OK in my mind too if I didn't, though, on the other hand, understand that the government now has \$1 billion in surplus—that was last year's budget—has announced this year that they're going to give \$4.2 billion back to corporations by way of reduction—

Ms McCarthy: Are we talking about the provincial government or the federal?

Mr Martin: Yes, the provincial government. At the same time, as in this instance, to provide these very valuable services, they've decided that the money they're going to use for that they're going to take away from some of our most vulnerable and at-risk families who would have used that money. There's no doubt in my mind that if you're making \$13,000 a year and you're getting \$100 or \$200 a month from the federal government targeted to providing you with a little bit more to feed your family so that when they go to school they're not coming in hungry and presenting to teachers the challenge that we spoke of a few minutes ago, certainly it doesn't sound fair.

I think it's great that we provide those programs and that we pool money—that's what we do when we pay taxes—to provide those kinds of programs, but to be taking money directly away from poor families to pay for those programs when we have \$1 billion in surplus and we're talking about more tax reductions for those who really don't need it—I say this, those who really don't need it, because to convince anybody that they don't need a tax cut is difficult these days—doesn't that sound a bit unfair?

Ms McCarthy: Yes, it does.

Mr Bert Johnson (Perth-Middlesex): That's only half the story.

Mr Martin: No, it's actually the whole story. What you present is half the story and what I'm trying to take a look at here is in fact the whole story.

I guess when you get a chance, which you will, because there's no doubt in my mind that your appointment will be approved here this morning, I think you'll be a good appointment.

Ms McCarthy: Thank you.

Mr Martin: But when you get the whole story and you begin to see the things that I've been looking at for the last number of months particularly, but over a long period of time generally, and you discover that there is some unfairness where this kind of thing is concerned, would you be willing perhaps to encourage your board, to begin to send messages that would be supportive of more fairness, as opposed to less?

Ms McCarthy: I can certainly assure you that in looking at the needs assessments for the Haliburton-Kawartha-Pine Ridge area, and of course at this moment I do not know what those needs are, if this becomes an

issue and a need for that area, certainly I think that is part of our mandate, to put forward the suggestions we find that are necessary for that area and for our children to arrive at this level that the study is asking.

Can I ask a question?

Mr Martin: Sure.

Ms McCarthy: There have been a number of statements made with regard to reports and something 2000 and this report and that. As an ordinary, average citizen paying taxes etc, how does one become aware, number one, that these wonderful studies have been done, and secondly, if one wanted to read a copy of them for their own information and enlightenment, where would you find them?

Mr Johnson: The NDP caucus.

Mr Martin: Yes, we have them, but I think even more appropriately—

The Chair: Mr Pond could help us out with this.

Mr David Pond: Depending on which ones you're interested in, some of them are available off of the government of Ontario's Web site, if you follow all the links. Other ones are available through the Ontario government's bookstore, and bookstores. I'd hazard a guess that if you wrote your local member, both provincially and federally, he or she might be able to supply any titles that you can list for them.

Ms McCarthy: All right. Now you've given me a source, once we know these documents are there—

Mr Pond: I might add, I suspect that when you are appointed to this committee there will be resource people attached to it who will probably be bringing you and your colleagues up to date on the state of the art in this area. Judging from the job description for the community coordinators who will be appointed to assist the Early Years Steering Committees around the province, I suspect that will be the case.

The Chair: I'll now go to the government members.

Mr Wood: We will waive our time.

The Chair: The government members will waive their time.

Thank you very much for being with us today and we appreciate your appearance. It's one of the few times I've seen the nominee ask the questions, so it's rather nice to see that.

We will now proceed with the concurrences that are normally motions forthcoming after these. I take it we haven't done any yet.

The first is the intended appointee as member, Council of the College of Midwives of Ontario: Pawanjit Gosal.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved by Mr Wood. Any comment or discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next is Mr Ian Turnbull, intended appointee as chair, the Early Years Steering Committee of the Muskoka-Parry Sound Health Unit.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Comment?

Mr Martin: I believe Mr Turnbull will have a very definite conflict of interest in this appointment, being the commissioner of social services and also acting as chair of this body. I think it would be more helpful to the nature of the work that this group is being asked to do to have those two positions be separate individuals without the obvious connections. There's just a ton of work to be done in this area out there. To have anybody, particularly the chair, even on an infrequent basis, have to declare a conflict of interest takes away from the possibility that's there. I will not be supporting this appointment.

The Chair: Thank you for your comments. Any other comments of any member of the committee? If not, I will call the vote. All in favour? Opposed? The motion is carried.

The next is Lesley Shimmin, intended appointee as member, the Early Years Steering Committee of the Haliburton, Kawartha, Pine Ridge District Health Unit.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Comment or discussion?

Mr Bruce Crozier (Essex): I missed the opportunity to ask a question so I just want to make a comment. I was listening in a positive way to this nominee until the question was asked about Campaign 2000, and then there was a very quick answer, "Isn't that an interest group?" The question I would have asked—and I could have assumed what the answers were—was, last night, for example, there was a reception downstairs by the Canadian Bar Association. I wonder what they are. Developers come to Queen's Park. I wonder what they are. Road builders come to Queen's Park. Would they be a special interest group? Probably. Then, my question would be,

what are children in poverty? Who advocates for them? It was just the fact that the Campaign 2000 report was being brushed off as just another interest group. We deal with interest groups every day. That just gives me a little concern about this appointment.

The Chair: Any other comments?

Mr Morley Kells (Etobicoke-Lakeshore): You should have mentioned the teachers' union, the federation of labour and other interest groups.

Mr Crozier: Sure. I had insurance brokers down here, I had teachers. Yes, all of them.

The Chair: Mr Kells?

Mr Kells: No.

Mr Crozier: Municipal politicians.

Mr Kells: It is an honourable living representing an interest group, I assure you.

Mr Crozier: Everybody's an interest group.

The Chair: Any other comment or discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next is Patricia McCarthy, intended appointee as member, the Early Years Steering Committee of the Haliburton, Kawartha, Pine Ridge District Health Unit.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved by Mr Wood. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

I don't think there's any other business before the committee.

Mr Wood: I move adjournment.

The Chair: Adjournment is moved by Mr Wood. All in favour? Opposed? The motion is carried.

The committee adjourned at 1145.

CONTENTS

Wednesday 30 May 2001

Subcommittee reports	A-55
Intended appointments	A-55
Mrs Pawanjit Gosal	A-55
Mr Ian Turnbull	A-58
Mrs Lesley Shimmin	A-62
Ms Patricia McCarthy	A-65

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Frank Mazzilli (London-Fanshawe PC)

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A20N
XC19
-652

Gouvernement
Publication



A-6

A-6

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 6 June 2001

Journal des débats (Hansard)

Mercredi 6 juin 2001

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday 6 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 6 juin 2001

The committee met at 1006 in room 151.

The Chair (Mr James J. Bradley): I'm going to call the committee to order. We'll perhaps do a little change around of the questioning. It is a little after 10 and I know members have other responsibilities, other places to go and things to do. So I'm going to commence this meeting. Do we have any business?

Clerk Pro Tem (Ms Tonia Grannum): No.

The Chair: No extra business at all so far.

INTENDED APPOINTMENTS

HELEN MULLIGAN

Review of intended appointment, selected by official opposition party: Helen Mulligan, intended appointee as member, Grand River District Health Council.

The Chair: Our first intended appointee, as a member of the Grand River District Health Council, is Helen Mulligan. Please come forward. As you may be aware, you're welcome to make an initial statement should you see fit, and then you are questioned for up to 15 minutes by each of the three political parties represented on the committee. Welcome to the committee.

Ms Helen Mulligan: Thank you. Good morning, all.

I'll tell you what my activities are. It may illustrate best what my interests in the community are. In November of last year I was elected councillor for Ward 2 for the county of Brant, and as a member of council I was named by council and Mayor Ron Eddy, whom some of you may know, to the Grand River District Health Council. Thus I am here today for your questioning.

Other committees of council I sit on include the chair of the ambulance committee for the county of Brant and the city of Brantford, and the community services committee. I was also appointed by council to the Brant social planning council and the Brant County Board of Health, which in turn asked me to sit on the mental health committee.

In the South Dumfries service area, where I live, I attend the recreation advisory committee, Glen Morris Community Hall committee, St George/South Dumfries Trade and Tourism Association and the South Dumfries non-profit housing committee.

You may have noticed a common thread involving health and social services in that list. This is because of my past experience. For employment, I am a retired registered nurse. I worked in pediatrics, intensive care,

emergency and geriatrics. I was public relations officer and fundraiser for Operation Lift, which is specialized transportation for seniors and persons with disabilities.

I've been a small business owner and a coordinator of a craft show that attracted 3,000 people a year. For 20 years I did that little job, and I got rid of that one.

Community participation: I'm on the Trillium Foundation grant review team for Brant-Haldimand-Norfolk from 1998. I have been on the Brantford General Hospital Caring for Health campaign as an assistant chair, and that campaign ran from 1998 to 2000 and we successfully raised \$11.4 million under difficult circumstances with hospital closure.

Brantford General Hospital Foundation: I was president from 1993 to 1995 and a director from 1989 to 1998. I have been on the long-term-care committee of the Brant District Health Council from 1993 to 1998. I have been a member of the BGH school of nursing alumni forever, since 1964 or so.

St George/South Dumfries Trade and Tourism Association: I was president in 1998. I was on the South Dumfries parks and rec committee from 1995 to 1997 and on the non-profit housing committee from 1991 to 1994. I have been on our church board from 1972 to 1996, including chairman of admin and finance. I've been a 4H leader going way back, from 1977 to 1987, and did other things in the community such as fundraising for minor hockey. I was recently instrumental in starting an new Optimist Club in St George.

My newest projects: I have just been appointed to the grants committee for the Brantford Community Foundation and I'm now chairing a program called BITS, which is Brant Integrated Transportation Service, for specialized transit for persons with disabilities and seniors in the rural area. We're trying to amalgamate. We will amalgamate with Operation Lift in the city of Brantford.

My certificates include gerontology and business management from Mohawk College and nursing management from the Canadian Hospital Association.

Just a few comments: ongoing community involvement and leadership in a wide variety of interests demonstrates my genuine interest in public service. Having a background in health care combined with public relations and fundraising will bring a different viewpoint to the table for the Grand River District Health Council, if this committee approves. Serving the community is something I take seriously.

The Chair: Thank you very much. We will commence the questioning with the official opposition.

Mr Bruce Crozier (Essex): Good morning and welcome. I hope you enjoy the opportunity to sit down and talk to us about some health care issues in your community this morning. How is it you came to receive the nomination to this committee?

Ms Mulligan: This was the choice of Brant county council.

Mr Crozier: OK, and I think you did mention that, I'm sorry.

District health councils have a mandate, which I'm sure you're aware of, and yet a couple of years ago the government appointed the health care restructuring commission. Did you see any conflict or duplication of responsibility when the health care restructuring commission was appointed as opposed to the responsibility of district health councils? Was there any duplication there?

Ms Mulligan: Not having been involved with the health council, I believe their role was in an advisory capacity. Hopefully they were able to work with the restructuring commission. I wasn't part of that picture.

Mr Crozier: But do you see district health councils acting in a similar manner, in other words, taking into consideration the same issues that the restructuring commission would have taken into consideration?

Ms Mulligan: I see the health council as representing the views of the community.

Mr Crozier: And that's an excellent point.

Ms Mulligan: There were definitely differences of opinion with the restructuring commission.

Mr Crozier: At the time of the work of the health care restructuring commission in your area—you mentioned hospital closings in your opening remarks—were there hospital closings in the Brant area?

Ms Mulligan: Yes, St Joseph's Hospital was closed. It was just closed this spring.

Mr Crozier: Did you agree with that?

Ms Mulligan: Yes, I did. I go farther back in memory, to when my father was on county council at the time they were building St Joseph's Hospital, and there were questions in the community at that time as to whether there was a need for two hospitals. It's not a huge community, with 85,000 to 90,000 in the city itself, and a larger catchment area. There was always question of the need for two hospitals since day one.

Mr Crozier: What's the catchment area now of this district health council?

Ms Mulligan: I'm not sure of the exact numbers because it includes Haldimand-Norfolk. I'm not sure of their numbers.

Mr Crozier: So it would be somewhere above 90,000?

Ms Mulligan: Yes. Including the county, it would be closer to 180,000.

Mr Crozier: And you have one hospital?

Ms Mulligan: We do now.

Mr Crozier: Do you think, in your role as an appointee to the district health council, you should

review that situation as to the requirements of hospital needs in the area?

Ms Mulligan: The community's not asking for it any more. I think it's fine the way it is. If the health council wants to review it, I'll certainly be happy to be part of that.

Mr Crozier: But you're out in the community now, through the activities you've mentioned. You're certainly involved.

Ms Mulligan: I don't hear a request to have it reopened or to keep it open. The community is in much greater need of long-term-care beds, and we're hoping that that building and some of that staff will be able to provide long-term care.

Mr Crozier: Is that actively being looked at?

Ms Mulligan: Yes.

Mr Crozier: Great, because there is a need, I'm sure, in your area, as there is in mine.

Ms Mulligan: And that seems to have satisfied the community, too.

Mr Crozier: OK. Thank you.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Ms Mulligan. Thank you very much for coming this morning.

Would you say it's your understanding that the health care needs of the members of your community are better served now since the closure of St Joseph's Hospital?

Ms Mulligan: I think they will be.

Mrs Dombrowsky: Are they now?

Ms Mulligan: As far as acute care goes, yes.

Mrs Dombrowsky: So it would be your opinion that the health care needs of people within the Grand River District Health Council catchment are better served since the closure of St Joseph's?

Ms Mulligan: As far as hospital care goes, yes. All the doctors, of the few that we have, are under one roof now, and I think it's a more efficient operation for all. There were a lot of transfers—

Mrs Dombrowsky: More efficient: would you say that relates more to money or service?

Ms Mulligan: Service; probably money too, but service, particularly for things like rehabilitation. If a person had a stroke, they were admitted to Brantford General. When it came time, two to three weeks later, for rehabilitative care, they had to be transferred across town to St Joseph's. If they needed any testing, anything related to acute care, then they had to be transferred back to Brantford General. With one hospital, all of those needs will be taken care of in one institution.

Mrs Dombrowsky: You're probably familiar that across the province, since the closure of hospitals, while perhaps services can now occur on one site, there has been a trend that waiting lists to access health services have increased significantly. Would you know if that has been the case in this—

Mr Frank Mazzilli (London-Fanshawe): Mr Chairman, on a point of order: I just ask for your indulgence. This committee is reviewing Ms Mulligan's qualifications as to being appointed to the district health council.

The line of questioning we get into is about needs in health care provincially. I would ask that the committee and the Chair have some discretion on the questions as to Ms Mulligan's qualification for the position and not on broader health care needs across the province. I don't think she's here to do that, to give opinions on what's going on provincially. Instead, she's here and she's been asked to be here by the official opposition to answer as to her qualifications to serve on this board.

The Chair: I think, Mr Mazzilli, I understand your point. One of the challenges we have is that members of the committee from all parties like to gather as much as possible what the views and opinions on issues in a specific field are of each of the people who have been proposed for appointment. If there were questions about the price of tea in California, that would certainly be out of line. But I think that's what we try to do: members of the committee like to get a general opinion of what the person's views might be on a number of issues related to health. If it were outside of health, I would certainly agree with you, and I appreciate your intervention, but I think you or anybody else should have the right to ask the questions within the purview of the field of health for the appointment. But I do understand the point you are raising and I thank you for raising it.

Continue, please.

1020

Mrs Dombrowsky: Just by way of response, I think the record would reflect that my questions have related to the Grand River District Health Council. I think it's important that we understand if the intended appointee has some sense of the health care needs within the community she is nominated to represent.

If I might just pursue the issue with regard to the single site, it has been a pattern across the province that when there's a single site and perhaps single-site access to services, the waiting lists have increased. Is it your understanding that that has in fact been the case within the catchment of the Grand River area, that waiting lists for health services within the community have been increased or extended or lengthened?

Ms Mulligan: I have not heard that there's a waiting list for surgeries, for instance.

Mrs Dombrowsky: Or cancer treatment?

Ms Mulligan: Well, Brantford goes to Hamilton, mainly, for cancer treatment, so yes, there's a waiting list there.

Mrs Dombrowsky: I see. Also, you did make some reference as well to your community and the fact that there is a doctor shortage within your area. What ideas would you have, what ideas would you bring to the table, that might address or assist the district health council in ameliorating that particular situation?

Ms Mulligan: That's a good question. We have a very active committee that has the right people on it who are trying to solve that problem. We're short 30 doctors. That's our biggest health care problem in our community at the moment as far as I can tell. Are there doctors out there to bring to our community? Are there spare doctors

out there in this province who want to move? To my knowledge, I don't think so. I don't know where they're going to come from. I think we're going to have to wait for them to be trained. My idea on this is that if we can assist with education financially, that's my only solution.

Mrs Dombrowsky: One final question.

The Chair: Actually, you don't have a final question—

Mrs Dombrowsky: Mr Mazzilli took some of my time.

The Chair: —because your time has expired.

At the risk of a Chair saying something, if you know of any, please send them to the Niagara region. We need 57.

Anyway, I'll go to the member for the New Democratic Party.

Mr Tony Martin (Sault Ste Marie): I want to make a pitch for Sault Ste Marie and northern Ontario too. If you know any doctors who want to—anyway, there's a need all over the province for doctors, and it's becoming quite critical.

One of the things I'd like to determine in view of the responsibility we have around this table to make decisions, whether we support or do not support the appointment of people to various boards and commissions, is a sense of what they think their responsibility is. Is it, on one hand, simply to drive the government agenda, make sure it is implemented with as few questions asked as possible so that a particular government can get on with doing what it feels is in its mandate to do, or, on the other hand, are you a voice of the jurisdiction, the area, the constituency you're appointed to represent?

I know I've had experience in my own community. I've been in this job now for almost 11 years and saw the district health council before the change, before it was turned into this very large geographic organization. I saw some of the work it was able to do in my own community around bringing people together around issues and coming up with suggestions and recommendations, and in fact sometimes, with the community, being quite effective in speaking to government about exactly what was needed for our area.

I guess the first question I would have of you is, what would your perspective be on your responsibility? Is it to the government which has appointed you to make sure their agenda is being delivered or is it to the people you live with in your area, to make sure you're getting the best that's possible by way of health care in your jurisdiction?

Ms Mulligan: My answer is both. I don't disagree with what's being done in Brant at the current time, but I also believe the health council should very much be a voice of the community.

In my past experience on the committee level outside of the health council, in relation to long-term care we had numerous community meetings with people who are affected by services that were needed. I understand that continues and I would hope that would continue. That would be my drive, to involve the community that's

affected by the health and social needs of the community so that we can have their voice to take to the health council's table so that we in turn can take that need to the government.

Mr Martin: Just by way of example, in my own community I had a meeting about two weeks ago with the administration of our hospital. They have before them some massive challenges, not the least of which is the building of a new hospital. They're waiting for a green light from the government on a number of fronts where that's concerned; plus, next year they will experience a significant deficit in their ability to deliver the health care that is required by the people who live in the district of Algoma.

We used to have a health council that represented the district of Algoma. It's now a health council that represents almost all of, or it does, northeastern Ontario with each community, Sault Ste Marie, Sudbury, Timmins, North Bay and communities in between, with hospitals, all of them grappling with the same issues. They're told that if they run a deficit next year, a law is going to be passed that will put them in contravention of the law. They're wondering what they're expected to do if the demand is such that it costs more than they have in their budget to deliver.

I guess I'm asking you, what is the circumstance in your area? Is it similar? If they find themselves in that same very difficult bind, what would your recommendation through the health council be to government on that front?

Ms Mulligan: Brantford isn't in that position at the present time, which is probably unique. It has not always been the case. We just received about \$11 million for excellence in operating, for being efficient at Brantford General. It's like having a gold mine dropped in our community. It's wonderful and it's well used, but it also illustrates that that hospital has been that efficiently operated. I have to question why that one is recognized as operating efficiently and some others haven't been. Does there need to be some sharing of information between hospitals? I'm sure there is at some level, but right now Brantford is lucky.

Mr Martin: Just on that front, the hospital in Sault Ste Marie didn't get that windfall because for some reason they weren't deemed to be of that excellent calibre. Frankly, in speaking to them, they don't understand because they've been doing everything in their power to deliver a service. As a matter of fact, I've been quite critical of them over a number of years for not delivering at a level that I feel is warranted if we're to receive the same level of service as everybody else in the province. But they're doing the best they can with the dollars they have, and I'm convinced of that. All of them are very professional and would not in any way do anything that would be less than their best effort, and yet Brantford gets \$11 million and we get nothing.

In your view, is that a good way to run a health care system, to be rewarding people and not rewarding people? It sounds to me on one front quite punitive.

Wouldn't it make more sense, and perhaps district health councils might want to look at this, to be funding hospitals according to their need as opposed to some criteria that are laid out that indicate whether one hospital is more efficient than another and rewarding them as such? I'd be interested in your view on that.

1030

Ms Mulligan: Again, it's a good question. I think it could use some discussion provincially.

Mr Martin: Actually, those are all the questions I have. Thank you very much.

The Chair: Now the government caucus.

Mr Mazzilli: I just want to thank you very much for attending. Based on what I've heard, I have no questions of you.

The Chair: Mr Miller?

Mr Norm Miller (Parry Sound-Muskoka): This is my first experience in this and yours maybe as well. I've been very impressed with your qualifications, your community background. I hope they pay a lot for this job, based on the interviewing process we have to go through.

Ms Mulligan: Part of councillor's salary.

Mr Miller: The question I would have: you're involved in a lot of different organizations. Will you have time for this new responsibility?

Ms Mulligan: This is part of my responsibility. Yes, I'll make time.

Mr Miller: From what I've seen in terms of the questioning from the opposition, it seems to be a political forum, more questions to do with general health than specifically to do with your qualifications. But you seem to have an extensive background, and I think you've answered the questions very well.

Ms Mulligan: Thank you.

Mr Bob Wood (London West): We'll waive the balance of time.

The Chair: Thank you, Mr Wood, and thank you, Ms Mulligan.

KEITH SHIER

Review of intended appointment, selected by official opposition party: Keith Shier, intended appointee as member, Durham, Haliburton, Kawartha and Pine Ridge grant review team.

The Chair: Our next intended appointment is an intended appointee as member, Durham, Haliburton, Kawartha and Pine Ridge grant review team, Keith Shier. I hope I've pronounced it correctly, sir.

Mr Keith Shier: You did, sir.

The Chair: Welcome to the committee. As you know, you would have an opportunity at the beginning, if you wish—this is one you may exercise or not—to make an initial statement to the committee, and then the questioning rotates with the three political parties.

Mr Shier: I do have an opening statement just to enlarge a wee bit on my resumé.

Mr Chairman, ladies and gentlemen, my name is Keith Shier. My wife, Dorothy, and I live in Brock township,

which is the farthest-north municipality in Durham region and also the most northerly in the Greater Toronto Services Board area. We have a family of four and we are very proud grandparents of six grandchildren.

I'm a graduate of Kemptville College of Agricultural Technology. I'm a member and past president of Cannington Curling Club. I sing in my church men's choir. I'm a charter member of the Beaverton and District Conservation Club.

Our family business is primarily a dairy farm, with sidelines in freezer beef and house rentals. Dorothy and I are presently transferring both the responsibility and authority for our business to our two sons.

My public career started in 1976 on the local committee of adjustment. I have served on Brock council for 13 years, the last six years as mayor. Since we have a two-tier system, I also served on Durham region for nine years. As mayor of Brock township, I also served on the Greater Toronto Services Board. I was a member of the finance committee and the works committee of Durham region.

At the GTSB, I and Toronto Councillor Joan King co-chaired the countryside and environment working group. We were able to complete a GTA countryside strategy.

I served nine years on Durham region's children's aid board and I'm a member and past chair of Brock Community Care.

Thank you for your attention. I look forward to your questions.

The Chair: Thank you very much, sir. We'll begin questioning with the third party. Mr Martin.

Mr Martin: Just going through your resumé and understanding the responsibilities for the job, I don't doubt but that you will bring a great deal of experience and knowledge of your area to this position. Given your long history of public service and busyness, although I hear you when you say you're turning some of that now over to your children, which is always an exciting thing to be doing—to have taken an enterprise to a point where you can in fact do that in this day and age is always an exciting moment—why would you want to sit on a board such as this?

Mr Shier: I believe I have something to offer, and it fits very nicely with a lot of my interests. I have interests in arts and culture, the environment, sports and recreation, human social services, and it fits quite nicely. I may be winding down my public career; I'm not quite sure of that yet. This might be an interesting and challenging way to ease out in the next few years. Not that I want to take an easy way out, but it seems when I get out of one area of my life, there's a period of really wanting to continue doing something else. This seemed very challenging and something I wanted to do, and I'm really looking forward to it.

Mr Martin: Are you aware of any of the grants that this group has decided to give out in your area over the last couple of years while it's been in operation at the level that it has been restructured to do?

Mr Shier: I did read the list of grants, yes, but I haven't committed them to memory.

Mr Martin: I know whenever we come to public office, whether it's in our capacity as a member of an agency, board or commission or as a member of Parliament, we often have something in our mind we want to accomplish, we want to do. Is there anything in particular for your area that you want to make sure happens in your capacity as a member of this team? Is there something lacking or something you'd like to enhance or build on?

Mr Shier: I don't have anything specific. There are areas in sports and recreation that are needed. The arts, local theatre groups certainly could use some help. The environment—the conservation club that I am a charter member of is always struggling to raise funds for their projects.

I don't have anything specific, but there are general areas where certainly there is some help needed.

Mr Martin: You're probably aware that there is sort of a shadow side to this whole operation, which is the issue of where and how much of this money is generated through gambling activities across the province—mind you, well-regulated and overseen by government, which I think, if you're going to do that kind of work, makes a whole lot of sense.

Do you have any issues yourself around the expansion of gambling in the province? That obviously will have a tremendous impact on the amount of money that will be available to be distributed through the Trillium Foundation. I guess what I'm saying is, to some degree when you create an organization such as this that makes communities very dependent, to do these very exciting and interesting things, on the proceeds of gambling, there are people out there who suggest that will continue to create a greater and greater appetite for more, which means the province will have to introduce more and more gambling venues or opportunities for gambling. Is that a problem for you?

1040

Mr Shier: I guess as a child, I was taught that gambling wasn't good for me—

The Chair: Sorry. I have a point of order from Mr Mazzilli.

Mr Mazzilli: I will just make it quick, Mr Chair. Some of the questioning again has nothing to do with the appointment. Perhaps if the Chair can just instruct the person before the board that certain questions, although they are opinion, he may choose to answer or may choose not to answer, because they have nothing to do with the position the person is applying for or being interviewed for.

I'm just wondering, on a broader policy issue that was asked by the member from the third party—that's a question the person before us may choose to answer or may choose not to, and it has nothing to do with why he is before this committee.

The Chair: Certainly a person who appears before the committee may give whatever answer he or she determines is the appropriate answer. Again in this particular case, since it is the position of the government that if we didn't have all of these gambling opportunities available,

we wouldn't have the money for Trillium, I think he's trying to determine what the opinion would be in terms of the funding and so on. So any witness can answer any way the witness sees fit to, just as we welcome your questions on virtually anything, Mr Mazzilli. I always enjoy your questions.

Mr Crozier: Chair, on that same point of order: I just want to point out—and perhaps the clerk can help us with this as well—I'm not aware of anything in the standing orders that limits the questions that can be asked by a member of this committee. I think it's time Mr Mazzilli, if that's the case, understands that. I can ask any question I want. I should be sure that they are sensitive, and in most cases I should be sure that they are on topic. But neither Mr Mazzilli nor anyone else, or the standing orders, as far as I know, can limit the questions I ask.

The Chair: Let us continue, if we can. We've heard from both sides. Mr Martin.

Mr Martin: Just on that same point of order, if I might, since I was challenged, I very seldom ask a question here that isn't in some way related or connected to my responsibility to try to make a decision on whether somebody should or shouldn't be appointed to a particular board or commission. That's all I'm trying to get at here. We have a real concern on this side that governments don't stack boards with people who simply tout or push the agenda of the government of the day. I think a healthy infrastructure of boards and commissions that represent different views and perspectives and come from different life experiences enhances everybody's opportunity.

But the thing that concerns me even more than that—and maybe we can put it on the table now, Mr Chair, and, I don't know, maybe we can bring it back to the House—is we come here week after week to participate in this exercise and there are often four or five members of the government who never ask a question. I just wonder why they come, what they understand is their responsibility on this committee.

The Chair: Mr Martin, as you may know, each of the political parties may or may not ask questions of the candidate, so I would not pass judgment. Any member may have questions or a member may not have questions. What I'm going to try to do is get you back on to the line of questioning you were on, sir.

Mr Wood: Thank you very much.

Mr Martin: I think we were halfway through a question you were answering. I think the Chair actually put fairly concisely what the issue is that I'm trying to put on the table here: the growing dependence on revenue from gambling sources and the continuation of Trillium's ability to fund those wonderful things that everybody enjoys and appreciates in communities, and what your opinion might be on that.

Mr Shier: I do understand your concern. As I started to answer, as a child I was taught that gambling wasn't good for me. I certainly wouldn't promote gambling in Ontario in order to get more milk out of a cash cow. It is that simple. But I do believe that there are people who

will gamble. If that is the case—and I believe it to be the case—then I think it is prudent to put at least some of those proceeds to good use. The better use they can be put to, in my opinion, will be the legacy that we pass on to Ontarians. I would hope that I would have some input that would make some positive difference.

Mr Martin: Thank you very much. I appreciate your coming this morning.

The Chair: The government party.

Mr Jerry J. Ouellette (Oshawa): I'd just like to say to the committee that I've known Mr Shier for my tenure in government. Having known his past, I think he'd do an excellent job of this and I'd be proud to support him, although I do have some concerns with his comments. As I mentioned, I know Mr Shier because of his past experience in government relations with us. But I find his comment about winding down very difficult. I don't think anything Keith does would be winding down, and I'm proud to support his nomination in the position.

Mr Wood: We will waive the balance of our time.

The Chair: The official opposition.

Mrs Dombrowsky: Good morning, Mr Shier. It is very good to see you here this morning. I would like to understand a little bit about your being appointed to a team that will receive, I'm sure, a great many requests from agencies within your community, all with pressing needs; certainly to them they're important and deserve support. I'd like some sense or understanding from you about the issues or initiatives within your community that would be a priority for you. Are there particular areas that you think these funds should be diverted to?

When I consider some of the projects that have been successful in gaining support from the grant review team, they are projects that relate to providing better services within the community for children, for seniors. There has been money directed to service clubs, money directed toward health initiatives, social services, environment, conservation authority projects, recreation and culture. Just with the examples that I've offered to you, are there any there that are particularly outstanding for you, that you think would always be sort of at the top of the list of priorities?

Mr Shier: I probably would pay particular attention to anything relating to the environment and to young people. They're probably my priorities at this time. I have a concern about the environment and how we will leave Ontario for future generations. I also believe that if you invest in young people, we will reap great returns in the future. They are our future. I see that in my own family. I see that in our friends' families. Those areas where care is invested in young people, they've certainly reaped great returns.

Mrs Dombrowsky: Very good. I'd like to ask you if you have any political affiliation. Are you a member of any political party?

Mr Shier: No, I'm not.

Mrs Dombrowsky: Very good. Thank you.

Mr Crozier: Good morning, sir. You certainly do come well qualified. I appreciate in particular your muni-

cial experience, because that has a soft spot in my heart. Anybody who is supported by Mr Ouellette must be a person of good character. Having said that, you are mayor of your community.

Mr Shier: No, I'm not.

Mr Crozier: You aren't.

Mr Shier: I was until—

Mr Crozier: It says, "Present municipal experience." I thought you were still mayor.

Mr Shier: No, I probably made a mistake there.

Mr Crozier: So, you hold no public office now?

Mr Shier: No, I don't.

Mr Crozier: All right.

Mr Shier: That's not quite correct. I have been appointed to the committee of adjustment.

Mr Crozier: That's fine. All I was going to get at, and I was going to give you the opportunity to comment on it, was that if you held municipal office today, it is kind of hard to advocate on behalf of your community on one side as mayor and to a grant review team on the other. I'm sorry, I misunderstood that. I wish you well.

Mr Shier: It was my fault.

The Chair: Thank you very much. I think all questions have been completed, sir. You may step down. It was nice to have you with the committee this morning.

1050

DINEKA VAN ROON

Review of intended appointment, selected by official opposition party: Dineka Van Roon, intended appointee as member, Early Years Steering Committee of Haliburton, Kawartha, Pine Ridge District Health Unit.

The Chair: The next intended appointee is Dineka Van Roon, intended appointee as member, the Early Years Steering Committee of Haliburton, Kawartha, Pine Ridge District Health Unit. Is Mrs Van Roon here? Would you come forward, please. Welcome to the committee. We even have the light on already for the microphone there for you. Make yourself comfortable right there. What happens is that we welcome an intended appointee to make an initial statement if she or he is inclined to do so. It is not necessary, but if you feel inclined to do so, you're certainly welcome to do so. Then each of the parties represented on the committee has up to 10 minutes—I said 15, I think, before—to direct questions. Welcome to the committee.

Mrs Dineka Van Roon: Mr Chairman and honourable members, my name is Dineka Van Roon. I'm married to John, who is here with me. I have three grown children. I would like to tell you a little bit about myself. I'm an immigrant from Holland. In 1951 we came to Canada. I was five years old when the Second World War started. Because of that, I know a little bit about hardships for children. My father was able to buy 200 pounds of tulip bulbs. We ground them into flour and made them into pancakes. That's how we survived.

Then, when I was nine years old, I believe, a farmer in the south of Holland told us that I could come there

because they had more food than we had. They gave me two slices of bread the first time. When I ate those two slices of bread, I became so sick that I wasn't allowed to eat for two weeks after that. This is what I mean—I know what it is to be hungry, and I know what hardships are for children.

In the early 1990s, we took in a boy who was seven years old whose mother had to go to jail for three months. The three months' care turned into much longer. Even though we were not official foster parents, the CAS allowed him to stay at our house. He lived with us for about seven years. We became official foster parents in that time. He is now living on his own, but we have weekly contact with him.

One of our children is a single mother with a child who turned four in April. Her child was born two and a half months premature and weighed 1,100 grams. He had a number three bleed in his head, number four being the highest, which made him very high risk for cerebral palsy. He was in Kingston General Hospital, which is a fantastic hospital, for three and a half months. When he was discharged, my daughter was given papers to fill out for a severely handicapped child, because that's what the hospital expected him to be.

While my daughter was on maternity leave, she sang to him, she played with him, she read to him, she exercised him. When she went back to work in November, I became his full-time babysitter and continued stimulating him. When he had his final check-up in Kingston at age two, he had recovered totally, and had no problems whatsoever. For the past two years he has been going to daycare once a week so that he can interact with other children, and he's registered for junior kindergarten in the fall.

The reason I have applied for this Early Years Steering Committee: I would like to bring this same family-oriented perspective to the committee. I feel I have a lot to offer in terms of experience and personal commitment to ensuring that every child in our region has access to the kinds of services that have so greatly benefited the boy we looked after and my grandson.

Finally, as someone who chose Canada as our country to live in, I think it's a nice opportunity for me to give something back to a country that has given us so much. I would like to read a poem that says it all for me.

One hundred years from now,
It will not matter what kind of car I drove,
What kind of house I lived in,
How much I had in my bank,
Nor what my clothes looked like.
One hundred years from now,
It will not matter what kind of school I attended,
What kind of typewriter I used,
Or how large or small my church,
But the world may be a little better
Because I was important in the life of a child.

The Chair: Thank you very much. We will begin the questioning with the governing party.

Mr Miller: Certainly. Welcome to the committee today. My wife is Dutch, so I have an attachment to people of Dutch origin.

My question—I don't doubt you have a great commitment toward the importance of the early years in the development of young people—what sort of experience do you have in other community organizations or any other committees in your community?

Mrs Van Roon: Not much right now, except I've been involved quite a bit with the children's aid society and being concerned with children who are taken away from parents. My husband was a tour bus driver for the last 10 or 11 years, so I have been unable to be active in that field very much.

Mr Miller: Also, have you had a job outside of the home?

Mrs Van Roon: No. I was looking after this seven-year-old boy, who turned 15 later on, full-time and also my grandson full-time. So I think that is already a major undertaking.

Mr Miller: Very good.

Mr Wood: We'll waive the balance of our time.

The Chair: No further questions from the governing party. We'll jump to the official opposition.

Mrs Dombrowsky: Good morning, Mrs Van Roon, and thank you very much for coming this morning.

This is I think a very important committee to which you are intended to be appointed. You indicated that you had decided to apply for it, so did you read an ad in the paper? Is that how you came to be appointed?

Mrs Van Roon: No, someone suggested it to me, that I would be a good candidate for it.

Mrs Dombrowsky: Was this someone in your community who is involved with children's issues?

Mrs Van Roon: No. Someone in Dr Galt's office.

Mrs Dombrowsky: Oh, I see. OK.

That was a lovely story you told us about your grandchild. Certainly in my role as children's critic for the official opposition I truly appreciate your story—so many times I think that we don't value some of the things you described in terms of stimulating youngsters and the positive effects that can have—also, your own life experience and your understanding of what it is to live in very trying and difficult situations.

I was wondering, are you familiar with the Early Years Study? This was a document that was commissioned by this government to consider how best to address the needs of children within the province. Are you familiar with this?

Mrs Van Roon: Yes, I am familiar with the Mustard and McCain—

Mrs Dombrowsky: And the work of Dr Mustard and the honourable Margaret McCain. Given that, and given your understanding of your own community and the needs within your community, would you be able to share with us some sense of how you think your community might begin to better address the needs of families and children? Are there any particular issues or ideas you would bring to that conversation as a member of the

steering committee that you know will assist children in your community?

1100

Mrs Van Roon: As you said, and also as I said in my little notes, it's extremely important to start very early in life and to stimulate children. In that report it says 25% of children are not ready for school at age six, and they should be. So my input would be, yes, let's look after this age group. It's a very, very important time in a child's life.

Mrs Dombrowsky: Yes. Is it your sense that child poverty is an issue in your community?

Mrs Van Roon: Not that I am really aware of.

Mrs Dombrowsky: You haven't been made aware of that yet.

Mrs Van Roon: We all have the poor with us all over.

Mrs Dombrowsky: With regard to the steering committee and the challenge fund initiative, are you aware that those dollars have come from the federal government?

Mrs Van Roon: Yes.

Mrs Dombrowsky: It's part of the health accord, actually, so that it's support from the federal government, which assists provinces to build healthy Ontarians, to build a healthy population. The federal government is focusing on investing in Ontario's children in this particular way, and that is your charge as a member of the committee, to consider ways—because what might be needed in one community may not be a priority in another.

You talked about your grandson attending one day of daycare. Are you familiar with the daycare needs, with the child care needs within your area?

Mrs Van Roon: In Campbellford we have a very good daycare.

Mrs Dombrowsky: Do you know if it's sufficient for your area?

Mrs Van Roon: It apparently is because we decide on the day of the week that he goes and we phone and there's always space for him. We felt that it was very important for him to go there so that he would interact with other children because we of course are elderly, my husband and I.

Mrs Dombrowsky: Do you know if it's a regulated space or a non-regulated space?

Mrs Van Roon: I'm not sure. There is a board so, yes, I imagine it's regulated.

Mrs Dombrowsky: Very good. That would conclude—

Mrs Van Roon: We live in the area of a large prison so we maybe tend to have families of the prisoners in our area, so that may be a different reason for helping children. I mean, it's different from maybe other communities in that sense.

The Chair: Thank you. Any further questions from the official opposition? No. Then we go to the third party.

Mr Martin: Thank you for coming this morning. I appreciated your opening comments, particularly where

you spoke of the need to make sure that young people—children—didn't go hungry and had all they needed to give them a good start in life.

I came to Canada in 1960 from Ireland. I was the oldest of seven children. We moved to a little town north of Sault Ste Marie called Wawa, and even though there was lots of work up there for people, it was hard work. We didn't have as much as some have today, but we certainly had lots of food and a warm and safe home to live in and lots of support. That, I would dare say, is some of the reason that I've been successful in my own life. It concerns me because what's happening out there today to so many young people is not like that.

You said to the previous questioner that you'd read the Early Years Study and knew of the authors. In that, they make the comment that people in community initiatives spoke often of having to deal with basic needs of families first:

"A family who does not have a place to live is not going to be able to provide a stable home environment for the children. This message was reinforced by provincial children's services organizations who spoke of their member agencies seeing more children who are going hungry, children who have to be taken into care of children's aid because the family is homeless, more family stress and more mothers with children in shelters for the victims of family violence.

"The reduction in 1995 in social assistance benefits has probably increased the number of children below the low-income cut-off point. Homelessness is affecting some families and children in some centres because individuals cannot afford market rents and there are waiting lists for subsidized housing.

"We are not in a position to judge the scale of need in this sector, but these issues clearly contribute to some of the difficulties of some families at the lower end of the socio-economic scale. It is difficult to be a good parent if you do not have adequate housing."

They're talking about children who are hungry and they're talking about children who don't have proper housing. What's your take on that? What was your immediate response to reading that in that report?

Mrs Van Roon: My response would be, my daughter who had these problems said to me, "Mom, what would a person do who doesn't have parents or family who can help?" That's exactly why I would like to be on the steering committee: to see what could be done for families who have no other family to fall back on like she was able to.

Mr Martin: If it became obvious to you in your work on this committee that one of the more immediate issues is the lack of resources to families to actually feed themselves, buy good clothes, particularly in the wintertime and that, would you be asking the committee to speak to the government about perhaps revisiting their decision to reduce income to people on assistance by 21.6% in June 1995?

Mrs Van Roon: I'm not sure that in many cases money would be the only problem, though. I would really

want to find out what the reason is for the family having problems.

Mr Martin: I've been to at least six communities in the last three months talking to people about this issue. In every instance, they've said to me—and there was actually a grandparent in Elliot Lake on Friday when I was there, who is now looking after his grandchildren. He's finding it difficult, with the income that he has, to put food on the table and provide the opportunities that these children obviously need if they're going to develop to their fullest potential. Certainly there are lots of people out there who are suggesting—and many of them who work on the front lines with families and children—that one of the most immediate needs is more money to buy food so they can feed their children at home before they leave for school in the morning.

Mrs Van Roon: Certainly I would be looking into that. But I would find out first the reason why they can't feed children or why they don't have clothes.

Mr Martin: Have you heard of the child tax benefit supplement?

Mrs Van Roon: Yes, I have.

Mr Martin: Then you know that it was a program introduced by the federal government a year and a half to two years ago in response to a resolution passed in the federal House of Parliament in 1989 which said that they would do everything in their power to eradicate child poverty by the year 2000.

We know that in 1989 one in 10 children was living in poverty; in the year 2000 it was one in five. We were told a couple of weeks ago by Campaign 2000, a group organized to keep the government's feet to the fire on that commitment, in Toronto, the industrial heartland of the country, that now one in three children lives in poverty. The child tax benefit supplement was meant to give poor families a little extra money to feed their children, an average of, say, about \$80 a month per child.

1110

This government has decided to claw that money back from families on social assistance, families on the Ontarians with disabilities support program, families dependent on the provincial government for help going to school under OSAP. Now we find out that—in Elliot Lake on Friday—they're also clawing it back from seniors who are looking after their grandchildren. The criterion, the defining line, seems to be if you're working or not, if you're poor, if you're vulnerable and at risk, but if you're getting money from the provincial government, they don't feel that you deserve that little extra to feed your family. What's your opinion of that?

Mrs Van Roon: I certainly don't want any children ever to go hungry or without food, without clothing, without shelter. But I would like to know the reasons why this is happening. That's probably something that I will really be involved in if I get on the steering committee.

Mr Martin: You made the comment earlier, I believe—and maybe you can correct me if I'm wrong—that we will have the poor with us always. I don't think you

mean we shouldn't be doing all we can to make sure we minimize that.

Mrs Van Roon: We should be helping, oh definitely, 100%. I'm in favour of helping poor people.

The Chair: Any questions from the government? You've had your questions. Any more questions? I'm giving you another chance.

Mr Wood: We've already waived our time.

The Chair: OK. I always like to give you a second chance just in case.

Mr Wood: There are no second chances.

The Chair: Mr Wood says, "There are no second chances." He's right. Thank you very much for appearing before the committee. That completes the questioning. The committee makes its decision at the end of the day.

Mr Martin: On a point of order, Mr Chair: I was just wondering if the Chair would inquire for me as to what it is the government feels is the role of this committee if they never ask a question.

The Chair: The government may use its time, Mr Martin, for whatever it chooses. The opposition may—

Mr Martin: If I might just put on the table, if you would indulge me, Chair: on a couple of occasions they have in fact decided to withdraw some names based on the questioning of this side of the House, but never on any questioning from their side. If we didn't ask any questions of those two people they withdrew, would those names have been allowed to go through and be appointed? What effort do they make above and beyond the simple recommendation of the order in council to determine whether people are appropriate for these appointments or not?

The Chair: That's something on which each member of this committee makes a personal decision. I do not know the answer to any of those questions. If the government members wish to tell anybody why they ask questions, what questions they ask, that's their business. If the opposition wishes to do that, that's their business. Each of the three parties may utilize its time in whatever way it determines is appropriate. That's the way we will leave it. I really don't think we should engage in that kind of conversation.

Our next intended appointee may not be here right now, in fairness, because she is scheduled for 11:30 am.

Mr Wood: Why don't we deal with concurrence?

The Chair: OK. I think that's a good suggestion from Mr Wood to deal with concurrences in the interim.

The first concurrence would be the intended appointee as member, Grand River District Health Council, Helen Mulligan.

Mr Wood: So moved.

The Chair: Mr Wood moves concurrence in the appointment of Helen Mulligan. Any discussion? All in favour? Opposed? Motion carried.

Next is the intended appointee as member, Durham, Haliburton, Kawartha and Pine Ridge grant review team, Keith Shier.

Mr Ouellette: I'll move concurrence.

The Chair: Mr Ouellette has moved concurrence. Any discussion? All in favour? Opposed? Motion carried.

The next one is the intended appointee as member, the Early Years Steering Committee of Haliburton, Kawartha, Pine Ridge District Health Unit, Dineka Van Roon.

Mr Wood: So moved.

The Chair: Mr Wood has moved concurrence. Any discussion? All in favour? Opposed? Motion carried.

We have dealt with three appointments. All three appointments have been confirmed by the committee.

Mr Crozier: Chair, while we have a few minutes, I'd like to raise once again and ask the question as to whether the clerk has received any written information from the Public Appointments Secretariat with regard to our question on being informed of opening positions and that sort of thing.

Clerk Pro Tem: No, not to date, and a letter did go out signed by the Chair of the committee to the Public Appointments Secretariat asking for that response. We haven't received it.

The Chair: Mr Crozier, any comment on that?

Mr Crozier: I just can't imagine why the public secretariat, perhaps the general manager—I see we have a couple of notes from him this morning on some withdrawals, but why they would take so long to answer our inquiry. I'm distressed by it. How is that? I will use the word "distressed."

Mr Wood: I'm told, Mr Chair, a draft has been prepared and it's awaiting a sign-off, so I will do what I can to encourage action as quickly as possible on this matter.

The Chair: We thank Mr Wood for his kind assistance. Mr Martin?

Mr Martin: There was another issue raised by the member for Perth, if you'll remember a couple of meetings ago, on the question of the circulation of the yellow sheets that we used to get in the House that we no longer get.

The Chair: Mr Johnson did raise that issue at committee, yes.

Mr Martin: I was wondering if there was any response to that inquiry.

The Chair: The response, to my knowledge, is that I receive it now in the House myself, so it has been resumed. The idea and operation of sending those to individual members of the committee—we do receive them in the House.

Mr Martin: Good. OK, I'm sorry. I didn't get mine.

Interjection.

The Chair: I'm informed by the clerk that that will continue.

Mr Martin: I probably got it but didn't recognize it.

The Chair: Well, from time to time I think what happens is they appear on our desk and then they may be taken up to our offices, but we do have that followed up and I think that was—

Mr Morley Kells (Etobicoke-Lakeshore): Got you outnumbered now.

The Chair: Mr Kells has arrived.

Interjections.

The Chair: I'm going to call a brief recess, not just because Mr Kells is here, until the intended appointee is with us.

The committee recessed from 1117 to 1129.

BARBARA PURDIE

Review of intended appointment, selected by official opposition party, Barbara Purdie, intended appointee as member, the Early Years Steering Committee of Haliburton, Kawartha, Pine Ridge District Health Unit.

The Chair: We are resuming at exactly the time we are scheduled to resume for our next intended appointee, who is an intended appointee as a member of the Early Years Steering Committee of Haliburton, Kawartha, Pine Ridge District Health Unit, Barbara Purdie. You can come forward. As you know, you may make an initial statement if you choose to do so. Then you'll be questioned up to 10 minutes by each of the political parties if they see fit. Welcome to the committee.

Ms Barbara Purdie: Mr Chairman, members of the committee, I am both pleased and honoured to come before you today as a potential appointee to the Early Years Steering Committee for the Haliburton, Kawartha, Pine Ridge District Health Unit. My prime reason for being here is a passion for children.

I have 22 years of experience as a paediatric physiotherapist and currently am employed by a children's treatment centre that provides speech language therapy, occupational therapy, physiotherapy, augmentative communication services, therapeutic recreation, family supports and preschool resource services to children from birth to 19 years of age. Our catchment area includes the counties of Haliburton, Victoria and Northumberland, a large geographic area which is the focus of this Early Years Steering Committee.

I have recently become responsible for the centre's therapy services that are provided in Haliburton county, so I'm developing a better understanding of the needs in that community. I have been part of a centre initiative to design and implement a high-risk screening program for babies born too soon or with difficulties at the time of their delivery. I am well aware of and firmly believe in the value of early intervention.

As clinicians, we have strong links with the Healthy Babies, Healthy Children program, the infant development program and local child care and preschool programs. In our area, our centre is the major service provider for speech language services through this preschool speech initiative.

My volunteer work also comes from a love for children. I have spent six years on the board of directors of Peterborough Youth Services and eventually resigned my position as chair of the board to do a three-month volunteer placement at an orphanage in Kingston, Jamaica. This orphanage was a haven for children with cognitive and physical impairments whose families could no longer care for them because of extreme poverty.

For the past five years, I have volunteered at my children's public school, initially in the classroom and for the past two years on the school council. I am presently chair of the school council and also a voluntary member of our regional school council.

My husband and I have two children, ages seven and nine, who have benefited from a stimulating, supportive environment from infancy. We moved to the country when our daughter was one and then faced the dilemma of finding child care. Our children are with their fifth child care provider, and my husband and I are fortunate in that we both drive and can afford to pay for what our children need. Our children have benefited from nursery school, again because we have been able to afford the program and also because we have been able to provide the transportation to get our children to the program.

In 1996, when our local school board moved to cut the junior kindergarten program to reduce costs, my passion for children surfaced again. Through letters and presentations to the board of education, as a community we were able to convince the board to save the program by moving to an all-day, alternate-day program, thus reducing busing costs.

Personally, at home and through my volunteer work, and professionally, I am committed to children. I applaud the Early Years initiative and am excited that I may be a part of it. The need for early, coordinated, accessible services for all children is one that I am glad to see being addressed.

The Chair: Thank you very much. We'll start with the official opposition.

Mrs Dombrowsky: I was just so very impressed with the credentials that have been presented to us. I'm particularly interested in a couple of the comments you made. Welcome and thank you for coming, Ms Purdie, to share your thoughts with us today.

You have made some comments about your own personal experience with regard to child care. You've indicated that you have been able to afford to provide that service. Are you aware, or familiar, if there are waiting lists for child care services within the area that you will be working?

Ms Purdie: Most definitely. I know one of the day-cares has—when you're pregnant, that's when you put your name on the list, if you're looking at licensed child care. I think there are more spots for home-based services, but certainly the licensed facilities have long waiting lists.

Mrs Dombrowsky: If I could just go back a little bit, you applaud the Early Years initiative. Are you aware that the dollars for this have come from the federal government, part of the federal accord?

Ms Purdie: Yes.

Mrs Dombrowsky: You know that when those dollars were transferred and when that agreement was signed in September of the year 2000 the federal government assigned \$2.1 billion to the provinces. Ontario will receive approximately \$855 million over the next five years. The first instalment was \$114 million on April

1 of this year. The federal government said that those dollars could be directed in four specific areas: prenatal and postnatal care, literacy programs, family services and child care. Are you aware that the province has chosen not to send any of those 114 million new dollars from the federal government to support child care services in the province?

Ms Purdie: I was aware of that. I know that child care agencies in our area are quite up in arms about it. I think it is an issue that the committee needs to look at, especially if you look at families who need to go out to work and can't find licensed child care. It is difficult.

Mrs Dombrowsky: You are a particular advocate of regulated child care and those services for families within the community.

You also made some reference to the challenge that, in rural communities, transportation can be for families in accessing child care. Do you have any sense or perspective about a centre setting for child care or a home-based setting? Do you have both within your community? Do you think one might be more ideal than another, or should it be dependent upon the needs of the community?

Ms Purdie: I think it really should be dependent on the needs of the community. I'm sure people are aware of the geography that this particular steering committee would represent. It's huge, and I think the needs are very different in each community. We'd have to look at each community very differently as to whether home-based or actual centres would be most appropriate.

Mrs Dombrowsky: Are you aware if poverty is a significant issue within the area you will represent?

Ms Purdie: It is, but again I don't know the extent. I've spoken to some people in Haliburton. We actually share an office with family services there. I know that has been a comment from them in the past, that poverty is certainly an issue in that community but, again, the extent of it, I don't know. It'll be something the committee would probably have to get more information on.

Mrs Dombrowsky: You wouldn't have a sense if it's an issue that has increased in the last five to six years?

Ms Purdie: I know it has in Toronto, but I'm not sure about our communities, actually. I can't comment on that.

Mrs Dombrowsky: Obviously you're very involved with your community, with children's issues, family needs and so on. How has it been that you've come to be an intended appointee on this particular committee? Did you see an ad in the paper? Did someone approach you?

Ms Purdie: Three areas: because of where I work, we had some of the communications that had come in and we had talked about it at the management table; I did see it in the paper as well, in the Peterborough Examiner, and then the junior kindergarten teacher at my children's school had approached me as well. She was applying for the Peterborough committee and so we had some discussions about the value of this kind of committee and my interest level.

Mrs Dombrowsky: Very good. Given your extensive experience in your role in providing services for families and children, you don't think you might be seen as having a particular bias at the table, that you might be seen as coming with your own agenda?

Ms Purdie: I don't think so. Personally, that's not my area. I think what I would bring to the table is knowledge of the existing services and maybe how we could better link services together that are there and maybe offer more supports for families. Whether people think that, I'm not sure. That's not my agenda.

Mrs Dombrowsky: Are you employed by the county?

Ms Purdie: No. I'm employed by the Five Counties Children's Centre. It's not county-run.

Mrs Dombrowsky: Thank you.

The Chair: You're finished with your questions? Any further questions from the official opposition? If not, we will move to the third party.

Mr Martin: Good morning and thanks for coming. Your credentials and background and experience are unquestionably valuable. The only thing I want to query this morning is some of the underpinning, where this particular organization is concerned, and your understanding of some of the issues that I feel very strongly about.

There's been some criticism that the introduction of this program is a bit of a smokescreen. Campaign 2000 and some of the folks lobbying on behalf of better child care, the Ontario Coalition for Better Child Care, have been quite critical in that it hasn't responded to the two things they felt very strongly needed to be responded to immediately by this government. This gives out the impression that they are concerned and going to do something when in fact in the area of child care they're not and in the area I've got most concern about, poverty, there's really not a whole lot happening either. The Early Years Study: you're familiar with that?

Ms Purdie: Yes.

Mr Martin: It says in it, and I won't quote the whole thing because I did earlier, "Some of the people involved in community initiatives who spoke to the committee as it travelled the province said that the basic needs of families are not being met. The family who does not have a place to live is not going to be able to provide a stable home environment for children. This message was reinforced by provincial children's service organizations who spoke of their member agencies seeing more children who are going hungry, children who have to be taken into care of the children's aid society," and the evidence goes on.

1140

I've been travelling the province since before Christmas, into probably a dozen communities now either with my forum, the People's Parliament on Poverty, or to stop the clawback of the child tax benefit supplement. Everywhere I go, people are coming out and talking about an increase in stressed families. What would your perspective be in terms of what this organization does, first, to try to put in place a good base or foundation from which

to provide all the other things children need in order to do well, and on the issue of poverty?

Ms Purdie: When you're talking about "this organization," do you mean the Early Years Steering Committee?

Mr Martin: Yes, the organization that you're being appointed to here. Is that what you mean?

Ms Purdie: Yes. I'm just trying to clarify it. It's a long question. I think poverty is an issue, and we have to talk about it around the table in conjunction with all of the other issues that are affecting infants and young children. I agree with you. Poverty is not pleasant. It is a motherhood kind of thing. We need to work toward getting rid of it. It is not going to go away overnight. If locally in our communities we feel it is a strong issue, then we should come back, and hopefully the minister will listen.

Mr Martin: I would suggest it is more than unpleasant; it is a fundamental piece missing. The fact that the government in 1995 reduced income to some of our more vulnerable at-risk families by 21.6%; if you add in inflation, we are talking about an over 30% reduction in the power to provide basic needs for children and families. Are you aware of the national child benefit supplement program?

Ms Purdie: I have some knowledge of it.

Mr Martin: It was introduced a year and a half to two years ago by the federal government because they passed a resolution in 1989 that was unanimously endorsed that child poverty should be eradicated in the country by the year 2000. Campaign 2000, an organization set up to keep the government's feet to the fire on that, are saying that where child poverty was one in 10 in 1989, it is now one in five. In fact, there was a report by Campaign 2000 a couple of weeks ago that suggested that in Toronto it is one in three.

What's happening is that the federal government, in an attempt to actually do something, and I think it's a good attempt, missed the boat on one particular important piece of it. They deliver a cheque in the middle of the month, on average \$80 per child per family, to go to food, clothes, whatever. If a family is in any way dependent on the provincial government, whether it is Ontario Works, a support program for Ontarians with disabilities, whether it is somebody who's dependent on the provincial government for OSAP, going to school or—we heard in Elliot Lake on Friday where there's a

grandparent who's decided to look after his grandchildren and, because of that, gets the supplement through the national child benefit. If they're also getting some money from the province, no matter what the avenue, it gets clawed back dollar for dollar. So they're punished for looking after their grandchildren.

There was one man who got up and he was actually crying, trying to explain to us how difficult all of this was. The family in the first place gave up the child, and that's difficult, because they felt that somebody else could probably look after it better than they could, given the meagre income they have. Now the grandparent finds out that the little bit of money the federal government is flowing to families most at risk and vulnerable, which he figures he is, to look after this child is being taken back.

Don't you think we should all be sending a message to this government to stop that practice? Would you be encouraging your group, this organization, to send that message if you got appointed?

Ms Purdie: You've certainly got a lot more information on the subject than I do. I would like to have more information on it before I could come up with a definitive answer. It is something the committee needs to look at in our own jurisdiction.

Mr Martin: Your gut reaction to that would be, if that in fact is what's happening, if it turns out that I'm telling you the truth—

Ms Purdie: You really want an answer there, don't you, Mr Martin? I really think I'd like to have more information on it.

The Chair: The governing party.

Mr Wood: We will waive our time.

The Chair: Thank you very much for appearing before the committee. You may step down.

We will now deal with the final concurrence today, which is the intended appointee as member, the Early Years Steering Committee of Haliburton, Kawartha and Pine Ridge District Health Unit, Barbara Purdie.

Mr Wood: So moved.

The Chair: Mr Wood has moved concurrence. Any comments? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Any other business before the committee?

Mr Wood: I move we adjourn.

The Chair: Moved by Mr Wood that we adjourn. All in favour? Opposed? Motion carried.

The committee adjourned at 1146.

CONTENTS

Wednesday 6 June 2001

Intended appointments	A-71
Ms Helen Mulligan	A-71
Mr Keith Shier.....	A-74
Mrs Dineka Van Roon.....	A-77
Ms Barbara Purdie	A-81

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Norm Miller (Parry Sound-Muskoka PC)

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services



ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 13 June 2001

Journal des débats (Hansard)

Mercredi 13 juin 2001

Standing committee on government agencies

Subcommittee report

Intended appointments

Vacancy notification procedure

Comité permanent des organismes gouvernementaux

Rapport du sous-comité

Nominations prévues

Processus de notification
de postes vacants

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 13 June 2001

Mercredi 13 juin 2001

The committee met at 1008 in committee room 228.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I think on the agenda here there's the report of the subcommittee on committee business, dated Thursday June 7, 2001.

Mr Bob Wood (London West): I move its adoption, Mr Chair.

The Chair: Its adoption has been moved by Mr Wood. All in favour? The motion is carried. There was nobody opposed, so it's carried.

We're going to go into the appointments review. We also know that we have a response back from Catherine Mustard, the department head of the Public Appointments Secretariat. I think, in fairness to the people who are before the committee, we will proceed with our appointments first, if that is fine with members of the committee.

INTENDED APPOINTMENTS
THOMAS SIMPSON

Review of intended appointment, selected by official opposition party: Thomas Simpson, intended appointee as member, University of Toronto governing council.

The Chair: The first appointment is for an intended appointee as member of the University of Toronto governing council, Thomas Howard Simpson. Mr Simpson, you may come forward, please.

As you're likely aware, Mr Simpson, you have an opportunity, should you choose, to make an initial statement. That's entirely up to you. Subsequent to that, members from each party have 10 minutes to direct questions to you.

Welcome to the committee, sir.

Mr Thomas Simpson: Thank you, Mr Chairman. Yes, it was suggested I make a few prepared remarks and I have some. Maybe I'll take you through some of the highlights of my track record and qualifications and why I want to serve on the governing council.

I was until recently the executive vice-president and a partner of Global Strategy Financial, a mutual fund company here in Toronto. After a dozen years or so of building that successful company, we sold it last November to AGF Management. A fortunate consequence of that is that I have been able to retire early from business.

I suppose the current chair of the governing council, Wendy Cecil-Cockwell, heard I might have some time on my hands. In any event, she called me and asked that I let my name stand for this appointment. As you can see, I responded to my university's call for duty. This would not be my first time on the governing council. I first served in 1979 through 1981 as a graduate student, latterly as chair of the council's committee on campus and community affairs.

I then returned in 1990 and served three three-year terms as a member of the governing council elected by the alumni. I was again recognized immediately for leadership, being appointed as vice-chair and then chair of the council's business board. The latter position I held for four years.

The business board is the board of council that actually sets faculty and staff salaries, recommends tuition fees, determines pension fund and endowment investment policy. It deals with fundraising and other fiscal matters. I completed my term in 1999, with my final responsibility being a member of the presidential search committee, which selected Robert Birgeneau as the university's new president.

I must have done a good job during my time at the university because Rob Prichard, the former president, before leaving office a year ago, called me in the middle of the night to say that the governing council was offering me an honorary doctor of laws degree. I am to receive that degree at convocation next Thursday.

Besides responding to a call to duty, you may wonder why I want to go back on the governing council at this time. Well, I served on the governing council at a time of significant cutbacks in government funding and had to deal with the consequences of managing a university in a downsizing environment. It wasn't much fun, I can tell you. However, we did it, and I think the University of Toronto survived the decade and also came out much stronger for it.

Now the government seems to be prepared to reinvest in post-secondary education, I'd like to be around for the more enjoyable work of rebuilding and advancing the U of T's mission to be a significant public research university on a global scale. With a \$1.2-billion endowment, with new government money, combined with the massive replacement of retiring faculty, I think we have a once-in-a-generation opportunity to reshape the university in a new image to pursue that mission.

The university made a big difference in my life and in return I'm dedicated to continue to volunteer my time and financial support. I care deeply about the university's principles and its long-term health. I want to ensure that future generations have the same opportunity I did to experience a first-class university education.

As I say, having retired early from business, if appointed I'd devote substantial time being a member of the governing council. Thank you.

The Chair: Thank you very much, sir. We'll commence our questioning with the official opposition.

Mr Bruce Crozier (Essex): Good morning, Mr Simpson. It's a pleasure to have you here.

The questions I have certainly will not in any way, shape or form go to your ability to do this job, because I think you have a significant and outstanding background with the council. The questioning will be more toward the future of the University of Toronto and perhaps in some way other universities in the province as well.

You were recently on the council. May I assume that you've kept up to date, though, with the University of Toronto in particular and its status today?

Mr Simpson: Only through the university publications. I haven't served on any university board or committee for two years now.

Mr Crozier: OK. You did comment that you were there during the downsizing and the reduction in government participation in funding, that you got the job done and that it is now time to reinvest—or there is reinvestment—and you want to be there at that time.

Do you think that the indication of the government's reinvestment is enough?

Mr Simpson: As I said, I haven't been intimately involved in the last two years, so I can't quote figures and so on.

Mr Crozier: That's what I was afraid of, yes.

Mr Simpson: The university's position, in all the years I've been on it, is it's never enough. We always need more. There's a particular challenge facing the university, even in the context of reinvestment from government, that we have a very large increase in enrolments facing us, both from the double cohort and the baby boom echo. At the same time, our physical infrastructure, which was built in the 1960s and 1970s, is deteriorating. It's not the same as University College, built 100 years ago; this plant is wearing out.

At the same time, we have massive retirements. All those professors we hired in the growth periods in the 1960s are retiring, and we have to compete on a global scale now to replace them. Canadians are going south. It's hard to attract US graduates or graduates from anywhere in the world here. So trying to get replacement faculty—these are all challenges. The more money we have, the easier it is to overcome those obstacles.

Mr Crozier: Where, then, do you think the initiative should be for this additional funding? Should it be government? Should it be in tuition fees? Should it be in corporate donations, alumni donations, or all of the above?

Mr Simpson: I think the answer is all of the above. During my term during the 1990s, though, the universities rose to the challenge to raise money from those other sources. We reviewed tuition policy. We created a new tuition policy. We created a new access policy. We brought in the best fundraiser in the country, and we've run the biggest fundraising campaign of any institution in this country. We've raised significant private money. We've brought tuition up to what we think are target levels. I don't see, at least in the regulated programs, that there's a need to increase tuition there. Of the \$1.2-billion endowment, about one-half billion of that is earmarked for student aid, so we've met the challenge of accessibility in the face of high tuition.

As to the capital programs, there are two problems: we need more spaces, because there are more students, and we need to renew the physical plant.

Mr Crozier: The need for more space: is it just that perhaps a greater percentage of the student population is seeking post-secondary education, or is it the double cohort? That is in my view a massive problem. Do you think or do you know if the University of Toronto in particular has started to take steps to meet that problem?

Mr Simpson: Yes. The university is a large place. Some faculties and colleges are larger than some universities in this province. It has the capacity to respond to that challenge, and in particular the University of Toronto is looking at expanding enrolment in its Scarborough and Erindale campuses to take the largest part of that challenge to have increased enrolment.

At the same time, it's building residences in the downtown area to take in more students in the downtown area and meet their needs for low-cost housing.

Mr Crozier: Thank you, Mr Simpson. I wish you well. I think my colleague may have some questions.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Simpson. I certainly am particularly interested in your appointment. The University of Toronto is my alma mater, so I certainly do wish you well.

I was curious about a statement that you made in your opening remarks where you indicated that you are aware that the university has a \$1.2-billion endowment and new government money. Can you explain your understanding of what the new government money is?

1020

Mr Simpson: It's a combination of increased operating grants and a commitment to some capital programs. We're looking to the federal government for more research money, particularly to get research infrastructure covered. They are just positive signs. As governments have got stronger fiscal positions, the university is finding more responsive governments for its requests.

Mrs Dombrowsky: I don't know if you had the opportunity to review any of the background material that we as members have been provided, but the OCUFA study has indicated that provincial operating grants provided to universities by this government in the year 2000-01 are in fact 13% less than what they were in

1995-96. It's difficult for me to appreciate how you might see that as an increase in support. In fact, when we consider—this was also part of the chart—the provincial operating grants to universities, in the 10 provinces of Canada, Ontario ranks 10th in supporting the operation of its universities. So I was somewhat curious and intrigued by your comment that you are looking forward to dealing with these new resources. It is possible that they may be coming from the federal government and from private sources, but I think it's important that you would understand they're not coming from the provincial government.

Further to that, I would ask, as a member of the governing body, do you think the university has a role to pressure OCUFA, which is the umbrella agency representing universities in the province, or even directly presenting to the government the importance of investing in post-secondary education for the students in the province and bettering their 10th out of 10 record in Canada?

Mr Simpson: Right. I am familiar with the figures. What you say is true, but what I'm sensing is that there's an inflection point which seemed to climb since 1995-96. There is some sense that—

Mrs Dombrowsky: Do you think the governing body has a role, though, to have the government understand that they need to invest more in post-secondary?

Mr Simpson: Of course. In my past role, I've attended committee meetings and supported, with Rob Prichard, presentations to various government bodies; attended OCUA meetings and so forth. There's a conflict often with U of T working with other universities versus coming to Queen's Park directly, and we're sensitive to that, but we're here to put the case of the university to government.

Mrs Dombrowsky: One final question with regard to the faculty shortages. You indicated in your remarks that you appreciate that we are now competing in a global workplace to engage qualified people in that particular role. Are you familiar with any initiatives that the university has underway at the present time to address that?

Mr Simpson: Yes. Bob Birgeneau's vision is that we replace the faculty not by trying to hire stars and paying them exorbitant salaries to attract them from the US back to Canada, but to hire young graduates, put them through a rigorous tenure evaluation program and bring them in at a relatively young age when they're highly productive. At the end of his term, he hopes to have a much stronger faculty than we have today. To do that, you have to grow those graduate students so that you can hire them and put them on the tenure track. The initiative for the Ontario graduate scholarships is a good example of trying to get income—\$15,000 a year—to support those graduates.

When we sold our business, my wife and I donated \$1 million to the university. A large part of it went to OGS scholarships for the humanities, so it is an initiative I support personally.

The Chair: We now go to Mr Christopherson of the third party.

Mr David Christopherson (Hamilton West): Anybody who ends their comments with the sentence, "I donated \$1 million"—it takes me a second to get to the real world.

Just to show you how deep politics is, right off the bat, I like you. You were born in 1954, same year as me, and born in Hamilton. Way to go.

Now, having done the nice stuff, you touched on the issue of the humanities and the contribution you and your wife made, and you are to be commended for that. Forgive me if these questions have been asked before I arrived. How do you feel about the direction of the government seeming to be moving away from humanities and the arts, both in the secondary—because where the students are in their secondary school years of course sets them up for post-secondary—and into the whole university system? We seem to be moving more and more to a corporate-type agenda within our universities, which traditionally and historically is not where we've been. Can you give me your thoughts on that?

Mr Simpson: Yes. As government funding was reduced over the 1990s, the universities sought money from all sources, including the corporate sector. The corporate sector tends to support professional programs and programs that result in more immediate benefits for graduates and so on. On the other hand, the support for research, which is fundamental to the university's mission, is an attractive way for the university to get government money. At the same time, humanities are the core of the university and require support. There's certainly no doubt about that within the university. The champions for the humanities are strong within the university. As I say, with the support for the Ontario graduate scholarships, for example, there's a strong symbol from the government that they support humanities. From the private fundraising from individuals to match those scholarships, I think the university has been successful in emphasizing that support.

Mr Christopherson: I'm going to have to admit I'm a little disappointed to hear you say that, because I don't think there are too many people who would agree with you that the government has made humanities a priority or that they have given too much thought about it.

Just by extension, going back into the high school years, there's an awful lot of high schools now that have no arts program, no music program whatsoever. They don't have anything beyond just the core subjects, and again in the past that's not been the way we looked at education. We looked at trying to graduate well-rounded, holistic individuals. How do we make up for that at the university level when students aren't being exposed and encouraged in their high school years? It seems to me that if you want to stop funding humanities, making it a priority of universities, what you do is you start to dry up the interest and close off the opportunities in their high school years, so they aren't looking for it when they get to university and therefore don't feel that they're missing anything if it's not there for them.

Mr Simpson: I can concur with that. The university can't push string. One of the results of raising tuition in

the 1990s was that a university became a much more customer-oriented institution. Students are demanding positions in engineering and computer science and so on, and they have to have astronomical marks to get access to those. Positions are in the humanities, so there's been pressure from these customers, who are now paying a big share of the cost, to expand in the programs they want to attend. If they come out of high school wanting to attend computer science rather than history, the university can only go so far in responding to that demand.

Mr Christopherson: I started out saying I wanted to like you, but I've got to tell you these are not comforting answers. When you call students "customers," you just lose me totally. They are citizens who are preparing themselves for adult life. They're not customers. The Tories like to talk like that. They talk that language that citizens are no longer citizens, they are taxpayers and they are customers. It's an entirely different way of viewing society and in viewing the parts that make up society.

Mr Simpson: It's not to say that that's my personal view as to what we should do. I'm saying the consequence of raising tuition is that students started to view themselves as customers, demanding more value for money, and the university had to respond to that. As I say, student aid for humanities is the one tool the university has to attract high school students to choose the humanities over other programs. We use scholarship money to attract the best and brightest in the high-demand programs, but that's really the only lever we have if the desire isn't there coming out of high school.

1030

Mr Christopherson: Again, if you've been asked this, I apologize, but your thoughts on the introduction of private universities into the mix.

Mr Simpson: The U of T's position, which may be different from other universities, is that we can take the competition if we're allowed to compete. We don't think any government money should go to the private universities. We don't think any money that is otherwise slotted for student aid to students in the public universities ought to be diverted to private universities. On the other hand, if the private universities are competing with programs the U of T is in, we don't think the U of T ought to be regulated in those programs. We think we have the ability to provide a better education and at the same time provide access to those who aren't able to afford to go to a private university.

Mr Christopherson: There are those who would argue, and I would be one of them, that no matter how you start out, all of the history in the world shows that private universities ultimately end up with their fingers in the public trough. We look to the American example. They've got study after study. They're in there almost as much as a public institution. Do you not think it's a little naive to suggest that 10 years down the road we will still have been able to sustain a position of no public money in private universities?

Mr Simpson: I can't answer that. That's more of a political question. I could say that the U of T, as opposed to some other universities, is less concerned about that risk of where the money that disappears will disappear from.

Mr Wood: We'll waive our time, Mr Chair.

The Chair: The government party has waived its time. Thank you very much, Mr Simpson, for being with us today, and you're allowed to step down.

HOWARD SHEPPARD

Review of intended appointment, selected by the official opposition party: Howard Sheppard, intended appointee as member, board of health for the Haliburton, Kawartha and Pine Ridge District Health Unit.

The Chair: Our next intended appointee as a member of the board of health for the Haliburton, Kawartha and Pine Ridge District Health Unit, Mr Howard Sheppard. Some of us served with Mr Sheppard in the Legislative Assembly so it's a double welcome—it's a welcome back, I guess—to a committee of the Legislative Assembly, Howard. As you know, you may make an initial statement should you see fit.

Mr Howard Sheppard: It's a pleasure to be back here and meet some old friends I haven't seen in a number of years.

I'd just like to make a couple of comments, maybe on some of my experience. I lived on a farm in Roseneath. We have four children—two boys and two girls—and grandchildren—three boys and two girls.

A year and a half ago I sold the farm and moved out to Haldimand, but before that I was reeve of the township of Alnwick for six years and sat on different committees at county council and was warden in 1967. Last year they wanted somebody to sit on the Haliburton, Kawartha and Pine Ridge District Health Unit and I volunteered to sit on it, but then after I moved, and Alnwick and Haldimand amalgamated, I was out of a job—a volunteer job, that was.

I am also past chairman of the Roseneath Agricultural Society and former chairman of the county board of education. That's a long time ago. Three years ago I was chairman of the Northumberland county history book committee, which I found was very interesting. We had 2,500 copies made up and we sold most of those.

When I was reeve of Alnwick township and a member of county council, I sat as chairman of the Pine Ridge Municipal Planning Authority and, as I said before, I was a member of the Haliburton, Kawartha and Pine Ridge District Health Unit.

As most of you know, probably from the information you have, I served two terms as a member of Parliament in the Ontario Legislature for the county of Northumberland.

Some of the other things I've done: I was past chairman of the Northumberland county milk committee; a volunteer fireman for 17 years; and a member of the Rotary Club of Cobourg for 13 years, with 10 years' perfect attendance.

Last year, when we were finishing our last meeting in Port Hope with the Haliburton, Kawartha and Pine Ridge District Health Unit, I think there were five members who were leaving. Our medical officer of health, Dr Alex Hukowich, said there was a vacancy on the board for a provincial appointee, so I thought, well, I'll think about it. I thought about it for a couple of months and then I put my name forward. My mother-in-law was in a nursing home in Warkworth. At the present time I sit on a fundraising committee with Joan Fawcett; Jane Boreham, who is a councillor in Cobourg; and Morris Tate, who is the past chairman of the Cobourg District Hospital board. I think they kind of go hand in hand, so this is one reason I put my name forward to sit on the Haliburton, Kawartha and Pine Ridge District Health Unit.

If there are any questions, I will try and answer them.

The Chair: We'll begin this time with the third party.

Mr Christopherson: Welcome back, Mr Sheppard. I also have sat on the district health council in my community, so I have a familiarity with what goes on there and what the issues are.

As you know, municipalities are under a real cash crunch as a result of cuts made by the provincial government, and a lot of councillors are going through the agonizing process of deciding what their priorities are going to be when, quite frankly, they are all priorities. I feel for an awful lot of them in terms of the decisions they have to make. Given your previous role on the board of health, as a councillor, I would assume you therefore consider this to be a priority.

This is just a hypothetical, but to give me a sense of how you view things, if it came down to the fact that the only way to adequately fund the board of health, public health, given the role that public health plays, was some type of modest tax increase—it was either that or you weren't going to be able to deliver the services people need in terms of public health—do you think that's the right thing to do or do you believe that avoiding that tax increase, no matter what, should be the priority and the health unit should just find a way to live within their budget?

Mr Sheppard: I think that would be entirely up to the board, because you would have to find out what the first and primary project was. If there had to be a cost increase, you would consider it, over a lot of discussion, and if that was the right thing to do, you would do it, but one person wouldn't do it alone; it would have to be a collective through the board.

Mr Christopherson: The reason I'm asking is that if you ask the government members, I'm sure to a person most of them would say that you avoid the tax increase no matter what, and they have a whole host of reasons why they can justify that. I just wondered if you shared that same conviction, that avoiding tax increases, no matter what, should always be the overriding priority.

Mr Sheppard: It's like when you drive a car. If you have a flat tire and you ruin the tire, you have to go and buy a new tire. Health is much the same. If you have to do these things, you have to do them. You have to wait

and make a decision when all the facts are put on the table.

Mr Christopherson: What do you think the most important role of the board of health—I call it the public health unit—is in your community? What's the most important role you think they play?

Mr Sheppard: I looked at two things when I sat on the board last year. One was that we had to take care of our seniors, and I was concerned with what's going on in our high schools. They gave us a little talk one day on teenagers being pregnant in the schools and the board was going to do their utmost to try and correct that. They wanted to get it down at least 25% by 2004. Those are my two priorities. The other board members at that time maybe had different priorities. As I said, my mother-in-law was in the nursing home in Warkworth and I'm getting older myself. Those were my two priorities, but there are others.

1040

Mr Christopherson: Just along that line—and I realize it's probably not as prevalent an issue in your community as maybe in some of the larger urban centres, but it's there nonetheless and it's still a policy issue so that's why I'm asking it. How do you feel about the notion of public health units being aggressive in providing condoms free to anyone who needs them, and further to that, the whole question of needle exchange where an addict can bring in a dirty needle and exchange it for a clean one, with total anonymity and without any fear of the law? Both of those policies are in place, of course, by those who support them because the notion of AIDS and any other STD is just not worth the price of not doing it. How do you feel about that?

Mr Sheppard: Our health board does that. They give free condoms. Needles they will not give out, only needles that are not used. I might say one of the other priorities that our doctor has really stressed is no smoking. In Northumberland and Haliburton-Kawartha, right at the present time there's a bylaw being discussed of no smoking in the town of Cobourg and the town of Port Hope, but they're not going to make a decision on it until this fall. Dr Alec Hukowich is very strong against smoking.

Mr Christopherson: With respect to the needle exchange, currently you don't have that kind of policy?

Mr Sheppard: No. We have free condoms, but the needles, no.

Mr Christopherson: How do you feel about that as a policy? Do you think it's worth looking at or is it something that you just personally don't agree with?

Mr Sheppard: I think that I would have to get more information on it and probably have a discussion around the board table about that.

Mr Christopherson: During that discussion, what would you put forward?

Mr Sheppard: I'm all agreeable to give out free condoms, but needles I don't know enough about. That's a different kettle of fish, as far as I'm concerned.

The government caucus.

Mr Wood: We'll waive our time, Mr Chair.

The Chair: The official opposition.

Mrs Dombrowsky: Good morning, Mr Sheppard. You were an MPP before my time in the Legislature, although I have to say on this committee we do see a number of former MPPs.

Mr Sheppard: I have met you a time or two.

Mrs Dombrowsky: Remind—well, I'll have to see you afterwards.

With regard to the role to which you have been appointed on the board of health, you've indicated in your remarks that as an individual you have two very key concerns in your community. The first one that you made reference to was with regard to seniors. When you indicate that you are concerned about that, what are you concerned about, the fact that they are able to access the services they need? You talked about long-term-care facilities. Do you believe that we're meeting the need in that particular regard? The Premier of Ontario has said that seniors are lucky to live in Ontario, yet I have to say I hear from many seniors who would suggest that Ontario has a lot to do to improve their particular circumstances. I'd like to know what your concerns are with regard to seniors.

Mr Sheppard: My concern is that we should give our seniors the best of care that the dollar will provide for them.

Mrs Dombrowsky: The best of care that the dollar will provide. What do you think about drug plans for seniors?

Mr Sheppard: Seniors can get their drugs for nothing, some of them. My wife has drugs. She has to pay a nominal fee of \$5 because we have a drug plan. I sometimes think that people who can afford to pay a \$5 or \$10 fee, there's nothing wrong with it.

Mrs Dombrowsky: You are aware, though, that there's a conversation in the province right now among seniors and senior groups who are concerned that there have been suggestions and intimations by the government that drug plans will perhaps be restructured and maybe not even exist. That's the impression out there.

Mr Sheppard: I don't know anything about that at the present time.

Mrs Dombrowsky: Do you have a sense, when you talk about the most depressing health issues in your jurisdiction—I read with some interest a week ago about the fact that Campbellford hospital had to close 10 beds because of the nurse shortage. Has the board of health encountered problems in terms of families being able to access health services because of doctor and nurse shortages?

Mr Sheppard: I see advertisements in the paper asking for nurses and I know the Cobourg area is after two new doctors, because they're hoping to open the tenders for the new hospital at the end of July. Reading a bit in the paper, I think there's a shortage of doctors and nurses right across the province. I don't know to what extent. By the way, I had three sisters who went through to be registered nurses too.

Mrs Dombrowsky: I would suggest that it's significantly pressing when families move into a community, possibly move to Cobourg, for example, and would not be able to access a family doctor. Particularly if they have a chronic health condition, that can be significantly problematic. While it might be somewhat outside of the area of responsibility that the board of health deals with, the board of health does have some responsibility in terms of family health services and enabling families to access those services. I would expect that just as hospital corporations and communities are not able to access professionals to provide those services, boards of health would be experiencing the same kind of challenge. I would expect that's what you will meet in your new role as well. Do you have any sense that was a priority even of the district health council?

Mr Sheppard: I think that it's a priority for all the boards of health to look into that.

Mr Crozier: Good morning. It's a pleasure to meet you again. I will put that on the public record, because we have met before with our common interest in the insurance field, the mutual insurance field in particular.

You mentioned the initiative to have no smoking in public places. I just want to get your opinion, perhaps just as compared to mine. We have much the same issue in Windsor-Essex county. I have had discussions at length with the particular employee of the district health board about this. My view is that when it comes to restaurants and bars, but particularly restaurants, food dispensing businesses, it should be a matter of choice, as opposed to local health council or municipality imposing a solution on the business. In other words, if I'm an owner of a restaurant and I choose to make it a smoking establishment, then anybody who doesn't mind that can come in of their own free will. If I choose to make it non-smoking, the same choice can be made by the public.

My district health council disagrees with that. They think everything should be non-smoking. Do you have an opinion on that?

Mr Sheppard: I've got friends who smoke, and quite often when you go out for dinner you go to a restaurant and you have to go to a little corner where it's smoking only. But our district health council would like smoking to quit altogether in the district. I know my wife just went to a funeral on Monday, a cousin of hers who was only 72, but he was a chain smoker and he died of cancer. They blame it on smoking because he just smoked all the time. He even had a piece of his lip removed a few years ago and the doctor asked him to quit smoking—no. He was only sick three or four weeks and he died of cancer, and they blame it on smoking.

1050

Mr Crozier: Yes, I certainly don't advocate it, and I suppose that argument could move on forever. You'll ask some people who are celebrating their 100th birthday and they say, "What do you attribute your longevity to?" and they say, "It's a shot of whisky and 10 cigarettes a day." I guess it affects us all differently.

But I'm getting back to this idea of choice. We hear a lot these days where government doesn't want to be in

your face. This government, for example, makes quite an issue of red tape. All I'm trying to discuss with you is that government coming in and saying to me as a business person or me as the user of a public restaurant—the local government is making the decision for me and I feel that I'm able to make that myself. I don't know whether I want my Windsor-Essex county health unit making that decision for me. You've said your health council is proposing, it but you're going to be part of that health council so I was just trying to get an idea of what your opinion might be.

Mr Sheppard: I'll tell you, Mr Crozier, I deer hunt and I moose hunt and I've got to say I usually take a few cigars back and have a cigar myself when I'm back in the camp so—

Mr Crozier: You might make a moose hunter out of me if that's—

The Chair: That's the last question.

Mr Crozier: Well, anyway, thank you, sir. It's good to see you again.

The Chair: Mr Ouellette, did you have a question you'd like to ask?

Mr Jerry J. Ouellette (Oshawa): No, I think we've waived our time. But how is Mrs Sheppard?

Mr Sheppard: Fine, thanks.

Mr Ouellette: Happy to hear that.

Mr Sheppard: Good. I'll tell her you asked.

The Chair: That's good. I like these social exchanges. Thank you very much, Mr Sheppard, for being with us today. Good to see you again.

Mr Sheppard: Thank you very much.

RONALD BLACK

Review of intended appointment, selected by the official opposition party: Ronald Black, intended appointee as member, Smith-Ennismore Police Services Board.

The Chair: Our next intended appointee is as intended appointee as member, Smith-Ennismore Police Services Board, Mr Ronald G. Black. You may come forward, please, sir. As you have heard, we are pleased for you to make an initial statement if you see fit, or you can simply subject yourself to the questions of the members of the committee. Welcome to the committee.

Mr Ronald Black: Thank you very much. Mr Crozier's topic, his question, was interesting to me and you'll understand why in a minute here.

Good morning, Mr Chairman, ladies and gentlemen of the standing committee. I'd like to thank the committee for the opportunity to appear before you to review my appointment to the Smith-Ennismore Police Services Board in Peterborough county.

My name is Ron Black and I have lived in the newly amalgamated community of Smith-Ennismore-Lakefield for almost 23 years. Prior to that I grew up in Montreal and Toronto before coming to Peterborough for my first real job at the Peterborough Civic Hospital.

I am currently working in the home care industry for a company called Medigas, which is a division of Praxair

Canada Inc. My current position is as the medical equipment manager for Ontario for the company. My responsibilities basically include the management of all equipment sales activity in our 27 locations around the province, as well as managing our company's proposal submissions for the RFP process for the 43 community care access centres across the province. In fact, the last couple of days I've spent in Toronto at the annual CCAC conference and it was certainly a very interesting conference. The minister came and provided us with a keynote address on the current state of affairs of health care in the province and provided the audience with a reasonable plan of attack, I think, for the shortcomings in the funding that we're going to be seeing down the road. So, that's very key in the CCAC business as a service provider now.

My formal education is centered around the health care field, and I'm a licensed registered respiratory care practitioner in Ontario. Over the past 23 years I've held several positions in the health care field, including director of respiratory therapy for both the former Peterborough Civic Hospital and the St Joseph's Health Centre, now jointly called the Peterborough Regional Health Centre. I was in those positions for over 14 years.

Along with my many years of working in the public sector, I've had the opportunity to work as an entrepreneur in private sector health care. In 1986, along with my wife, Sharon, who is also a respiratory care practitioner, we started and developed a very successful home care company that we subsequently sold indirectly to my current employer, who was a competitor at the time. So it was an interesting set of circumstances.

For most of my life, I've felt it was important to help people and that's probably one of the reasons I went into the profession I did at a young age. Even going back to my younger years, I was fortunate enough to be playing in competitive sports. I often helped out with house league teams and that sort of thing, to give something back to the community. When I finished school and moved to Peterborough, I immediately sought a position on the local lung association board. I served on that board for 14 years as chairman of finance, as chairman of education and for two years as its president. As president, I also served on the governing council of the Ontario Lung Association for two terms.

After leaving the public hospital sector in 1992, I was invited to join the board of the St Joseph's Health Centre Foundation. After leaving the hospital, I felt a need to continue my relationship with the good friends I had made at the hospital, as well as help the foundation embark on a new capital fundraising campaign for some much-needed upgrades to the hospital.

I am currently completing my ninth and final year on the foundation board, as the board allows. I've come away with a high level of satisfaction in that we have achieved several milestones in the fundraising area, and once again are ready to gear up for another capital campaign to build a new state-of-the-art, long-term-care facility in Peterborough on the site of Sir Sandford Fleming College.

The new facility is called St Joseph's at Fleming and will house a centre for healthy aging. It is the first such collaborative effort between a community college and a health care facility in Ontario. I'm very proud of the fact that I served for three years as chair of this foundation, through some very difficult times during hospital restructuring. The challenge of developing a new focus for the foundation was difficult, but as I stated earlier, I leave the board with a new mission in place to develop a new not-for-profit, long-term-care facility that will be state of the art in all respects.

In 1995 the start of my political career came when I got a knock on my door from a neighbour down the concession from me—I live in the township. When I opened the door, there was a friend standing there, a local farmer, who had very poor colour and was almost speechless. He handed me a letter that came from the Peterborough county waste management steering committee that indicated his farm had been selected as a short-listed site for a landfill, for the new mega-dump. This is where my political career started. The farm had been in the family since the mid-1800s and was a century farm, recognized by the historical society in Peterborough county. He asked if I could help him out at a very difficult and emotional time.

After several months acting as the official spokesperson for the local anti-dump committee, I was encouraged to run for council in Smith township. I was elected to a three-year term in 1995 and was acclaimed for a second term in 1998. Through the two terms of office, I was involved in not one but two municipal amalgamations and restructurings. Restructurings seem to follow my career around. The first one was the initial Peterborough county restructuring, which included, I think, going from 16 down to eight municipalities, and our neighbouring Ennismore township merged with Smith township.

In the first round there was one municipality that was an adjacent village to our township that refused to enter into the process, and in my second term as councillor-at-large for Smith-Ennismore the village of Lakefield became, through a long process, part of an amalgamated Smith-Ennismore-Lakefield township. Through both terms of municipal office, I participated in transition committees for both amalgamations and held several positions on subcommittee for various aspects of the restructuring.

In my second term on council, I chaired the fire committee for the township and was the council representative on the Smith-Ennismore Police Services Board. After the contract with the OPP was settled for the last two years, up until the latest election—our term on council ran until the end of the year, being a transition board—I sat for two years on the police services board. I elected not to run in the past municipal election due to time commitments of my current position and to spend more time with my wife and young family.

1100

When I left municipal politics, I continued to have the urge, as I have all my life, to serve the community in

some way. With my position as past chair of the St Joseph's Health Centre Foundation also coming to an end shortly, I believe I will have the time to continue to serve the community on the police services board.

My two years as council representative on the police services board have been very rewarding for me. I felt that it was a great opportunity to make a difference in the type of community we want for our families. I have three small children, ages 12, 9 and 7, and want to make sure they have a safe and positive atmosphere in which to grow up. Our community is currently served very well by an OPP contract arrangement and I believe it is important that this police force be seen as a community policing unit.

Inspector Jack Watkins has provided the community with a solid business plan that focuses as much energy and resources on prevention and education for our residents as it does on responding to and processing criminal convictions. I believe that a community that is well educated in preventing crime and reporting suspicious events will result in a much safer community. Communities that have good reputations for having low crime rates attract young families and much needed business for the municipality to prosper.

We want to create a community where our young people are comfortable with and respect the police, not fear them. I believe that the manner in which the police services board sets its priorities for community policing each year will have a lasting impact on how our community is viewed and how our young people will view policing in their adult years.

As you can see, I have been through many changes in health care and municipal restructuring. As in business, you must learn to embrace change and encourage the development of new, more efficient and cost-effective service models. The current challenges in policing are to develop a service model that has a good balance of enforcement and education. I believe that my experience in the public and private health care sector, my many years of volunteer board experience and my municipal political experience have prepared me well to perform in this appointment. I would like to continue to offer my time and commitment to serve the community of Smith-Ennismore on the police services board. Thank you once again for the opportunity to appear before the board.

The Chair: Thank you very much, sir. Any questions?

Mr Ouellette: Seeing as you are a selection of the official opposition to appear before this committee, I'm sure the members will understand what I'm referring to. I know the Chair would be very interested to find out, what is your direct or indirect relationship with Conrad Black?

Mr Black: I would love to have a direct relationship with him, but unfortunately I don't. I grew up in Montreal. I'm sure when the time comes, I'll be researching my relationship.

Mr Ouellette: From what I've seen or heard, the selection process that has brought you to this point, as in most of the cases, has made a good choice.

Mr Black: Thank you.

Mr Bert Johnson (Perth-Middlesex): I was interested in your background and the institutions that you've worked with. Of course, I know where the Peterborough Civic Hospital is, but I don't know where the St Joseph's Hospital and Health Centre was.

Mr Black: It was in the east side of the city of Peterborough; it was the town of Burnham at one point. It became amalgamated with Peterborough when they built a bridge. In the old days, it was the Catholic hospital on that side and the public hospital on the other side.

Mr Wood: We'll waive the balance of our time.

The Chair: We now proceed to the official opposition.

Mr Crozier: Good morning, Mr Black. Welcome to the committee. Just so that I can be perfectly clear, under "Related experience," it says you were elected a municipal councillor, 1994 to 2000. There was an election in 2000. Are you still—

Mr Black: No. Sorry, it was the end of 2001. Right?

Mr Crozier: Didn't we have an election? Yes, we had an election last year.

Mr Black: Sorry, it was 2000. I'm ahead of myself.

Mr Crozier: That's fine, just to make sure.

In reading over the research and information material that we have, it seems you have a very interesting situation in your area with the various police services and how they are provided. This is all a result of amalgamation, I guess, that it's gotten this way. You can help me if you've heard of it. There is a private member's bill that has been introduced by the member for Dufferin-Peel-Wellington-Grey that I think applies to this situation, and that is to allow for a hybrid police service where it's my understanding you could still have a police service within the same jurisdiction, one provided by the OPP and another provided by local police services, but under one police services board. Are you familiar with that?

Mr Black: I'm familiar with it. Yes, I am.

Mr Crozier: Could you comment on how that would affect the situation you might be involved in?

Mr Black: It's certainly an option in our current situation with having two police forces in place. I think that type of bill would lend itself more to a larger urban centre surrounded by a more rural centre. In our situation, the village of Lakefield is approximately 12 kilometres away from the city of Peterborough and the city police. The village of Lakefield had its own four-man police force at one time. They sought services from the city of Peterborough police force so now there is a gap in between the village of Lakefield and the city of Peterborough in that the police travel back and forth to perform their duties. It's not a contiguous relationship land-wise. Lakefield is a village of about 2,000 people in somewhat of an urban setting. It has services etc.

I think it would be a difficult situation to manage if it was under one board. Certainly the service standard that was set would be consistent, which wouldn't be a problem I guess. Given that, if the service standard was consistent among both forces, then who you pay the bill to for the officers is probably irrelevant at that point. The

big concern I have would be around assigning the new jurisdictions for those two separate forces.

Currently there is a significant difference in the cost of those services for the two municipalities. The current cost for Smith-Ennismore residents is \$78 per year for policing. In the village of Lakefield, with the city force, I believe it is in excess of \$235 per home. So there is a considerable difference in the costing. If the residents of those municipalities are prepared to pay the additional cost for different policing levels, there is a concern that a semi-urban centre like Lakefield has higher requirements as far as policing the downtown area, the main street and those sorts of things.

I would take it back to the public if I were on council at this point. I would take it back to the public and show the two options, show the pricing, show what level of service we're prepared to provide for each dollar, and somewhat let the public make a decision. If the taxpayers are prepared to pay the extra for that level of service, then fine.

I know certainly that the OPP services many communities of that size quite adequately and I have confidence in both forces. They are both very good services.

Mr Crozier: Was the decision taken to the public in the first place?

Mr Black: In Lakefield it was. In Smith-Ennismore we're in a slightly different situation, obviously. We're already with the OPP. We went out to an RFP, a very public process of selection. The OPP came in with the best proposal and the best price so we contracted with the OPP in Smith-Ennismore.

The Lakefield situation was slightly more complicated because they had an existing incorporated police force. They did go to the public at the time. I don't think there was a whole lot of interest paid to the issue by the public in Lakefield. They decided to bring in the Peterborough city police as their choice.

Mr Crozier: So the difference in cost, one might suggest, is the one that would wake the public up a bit more if they weren't interested in it before.

Mr Black: I'm a strong believer in educating the public around their options. I'm not sure that was made clear at the time. Certainly through the new amalgamation of the three municipalities, the village of Lakefield residents, on average, have seen a \$500 per household drop in their municipal tax burden as a result of amalgamation. So there are some good stories around amalgamation and there are some bad stories are amalgamation. This was a good one for us.

Mr Crozier: I do understand why you were interested in my comments previously, but we'll take those up another time perhaps.

Mr Black: I'm a firm believer in choice too, though.

1110

Mrs Dombrowsky: Good morning, Mr Black. I'm just a little bit curious. In your remarks you talked about "We went to the public," and that in terms of a decision about whether to have a local service or go with the OPP, you think you would go to the public. I guess I think

that's sort of the job you're looking for, to make that decision.

When you say you would go to the public, what venue are you talking about? My understanding or impression of gauging what the public thinks on any particular issue or getting direction from them would be by way of referendum. I don't think that's what you're talking about. How do you assess what the public wants in your particular role, when you don't have a referendum, that particular tool?

Mr Black: My particular role now would be on the police services board. I wouldn't necessarily be directly involved in the RFP process for selecting the services. The chairman of the police services board will be a member of the committee, no doubt, or the subcommittee.

Mrs Dombrowsky: I suggest you would have an integral role to play as a member of the board.

Mr Black: Certainly, the chair would be involved. I think that's what's happened in past practice. We would bring things back to the board. I guess you're right in that sense. It may happen by referendum in that situation too. This has become somewhat of a sticky situation.

Mrs Dombrowsky: Has it?

Mr Black: The amalgamation of Lakefield into Smith-Ennismore was not a smooth transition. The members may be aware of Lakefield's proposal to annex a considerable amount of land out of Smith township all the way into the city, to join the city at some point or stay separated for the policing issue as well. It turned out that they did amalgamate with Smith-Ennismore and it has worked out incredibly well. There has been a lot of good feedback from the residents of the village. The big concern around amalgamation is there's always a loss of identity, an identity crisis. Well, the village of Lakefield will always be the village of Lakefield. That sign is never going to come down. It will always be Lakefield. Outside of those fears, the historical significance of municipalities, it's a business, it runs as a business. It has to.

The Chair: The third party now, Mr Christopherson.

Mr Christopherson: Welcome, Mr Black. I notice you were on the police services board from 1994 to 2000.

Mr Black: No, I was on the board from the last two years of my last term, which would be 1998 to 2000. The OPP policing contract issue didn't start until, I think, the year before that, when we had to either contract or status quo.

Mr Christopherson: OK. The way this reads it looks like it was the full six years.

Mr Black: Sorry.

Mr Christopherson: That's OK.

You mentioned the CCACs and your role there, and I know this is not an appointment to that, but it would help me get a sense of who you are to ask you what your opinion is on the current status of funding to CCACs.

Mr Black: We're a service provider to CCACs in the medical equipment rental business for clients coming out of hospital and so on. The expenditures, I believe, have gone from \$325 million to over \$600 million in the last three years. Considerable dollars have been put into the system. The CCACs—and I deal with them all across the

province, from large to small—have put a great deal of effort into developing their programs, their protocols, all of these sorts of things and I think have had an impact on the ability of hospitals to manage the load in the hospitals right now.

Being a business person, I understand that there is just not an open-ended number that we can spend. There certainly are priorities that have to be put in place, but I also think it's possibly time to step back and look at the structure of the CCACs and possibly how many there are, just like municipal restructuring. There are a number of them, and I'm not suggesting that any of them are not performing well financially or are not taking care of business properly, but there are some advantages to slightly bigger organizations; not too big, though, because I'm a firm believer, in our case with Smith-Ennismore-Lakefield, 16,000 people is a good-sized municipality on a rural basis to manage, where people can access a councillor if they need one.

I think it's time to step back, look at what services the CCACs are providing, look at their mandate, look at their mission. They are providing a lot of ambulatory-type services, and I think their initial mission was to provide non-ambulatory services in the home. There are a lot of services that they've taken on that are clients who are walking. Typically, in the past, we'd go to a hospital-based clinic, but the hospitals don't want that role or don't have that role at this time, and the access centres have taken on part of that role. Long term, is that where they should be spending their time? I think that's a philosophical discussion between the government and the CCACs as to what exactly the role is. Redefining the role will help define the funding requirements.

Mr Christopherson: I have to say that I'm a little disappointed. It sounds more like a defence of government policy, as opposed to the reality, at least as I see it certainly in my community and I understand in other CCACs. But that's that.

Being a former Solicitor General, this probably stands out more for me, but as someone who has served on a modern-day police service, I didn't hear you use the phrase "police service." It was always "police force." Words aren't everything at a time of political correctness, but there's a distinct difference between seeing your local police as a police force versus a police service. With that, can you give me what your definition of community policing is?

Mr Black: I probably have used the wrong word a few times, and I think I've made it clear in my presentation that community policing is the important aspect for me: education, prevention, all of those sorts of things.

Mr Christopherson: But what is community policing to you? Out there, what is that exactly?

Mr Black: Community policing is being out in the field, making presentations to school children, to seniors on how to be safe, spending time at community events, getting to know the local people, building a relationship with the local people. I know, certainly in the OPP's case, the days of officers being transferred every other year—it's not there any more. You're getting more

officers staying in the community that they are working in for a longer period of time so they can build those relationships. I think it's building a relationship with the community, a relationship of trust, as I said, where my children will grow up seeing police officers at public events, being seen as somebody who's helpful, not somebody to be afraid of.

You're right, "force" is probably the wrong word to use.

Mr Christopherson: I'm not hung up on it, but—

Mr Black: I've always been very active, even through the waste management issues, around education being a lot more important than legislation in those situations. Fining somebody or taking somebody away is not the answer, because they are probably going to be back again.

Mr Christopherson: One last quick question, if I can. You talked about the people of your community having choice about policing. If one of those choices desired by some of the citizens in a given area was that they were prepared to pay extra to have extra policing—and there are many private policing agencies based in the United States that are now attempting to import themselves here into Canada. How do you feel about that as an option? Do you think that people should have that option if they choose to have a higher level of policing than is the norm in the balance of the community, that if they're prepared to pony up the money, they should be allowed to bring in whatever policing service they want?

Mr Black: That's a tough question. I am a firm believer that if the taxpayer wants to pay the additional costs of providing a service, then if they want street lights, they can pay for street lights. But the general taxpayer in the community shouldn't have to pay for street lights in a subdivision if they have no street lights on their street.

The question around these security-type forces as opposed to a policing service doing certain parts of police business, I don't have a lot of experience and understanding of what those forces are. We haven't seen them in places and communities like ours. They are in Toronto and the bigger urban centre markets. Do they have a role in policing? Possibly. My preference would be probably to have an integrated police service providing all of the services in the community. If a security-type service can show me that they have the required training, the expertise to do the job well at possibly a lower cost, then maybe, but I would have to be shown that very clearly.

1120

Mr Christopherson: I'll tell you right up front that that answer, with respect to you as an individual, I couldn't vote for that. That basically is saying that it's OK to privatize policing and that takes us down the road of privatized education, health care, the whole notion of—I just feel strongly about this issue.

If there's not adequate policing for one part of the community and they want it increased, then maybe that's what should be for everyone else, not sort of minimum policing for those who can't afford it and adequate

policing for those who can. So, to me, I would have been much happier to hear you say, "No, that's not the way to go. We need to make sure that the publicly funded, publicly regulated and publicly managed police service is adequately funded to provide service for everyone, so that that's not there.

I have to tell you, I'm a little disappointed that you answered the way you did.

Mr Black: I think you can certainly set a minimum standard for policing. I think we have that. If a community wishes to have a service of having an officer walking up and down the downtown street, which is not a normal practice at 3 in the morning, to protect the local businesses if they feel that's important—it's not the standard. I think people should have to pay for the additional. But you're absolutely right, the minimum standards for policing should be adequately provided across the community at all taxpayers' expense. But if you're getting a special request for additional policing, above and beyond what is considered normal practice, then I don't have a problem with somebody paying for that.

The Chair: Thank you very much, Mr Christopherson, and that completes the questioning. Thank you very much, sir.

RICHARD FILION

Review of intended appointment, selected by the official opposition party: Richard Filion, intended appointee as member, Muskoka, Nipissing, Parry Sound and Timiskaming District Health Council

The Chair: Our next intended appointee is Mr Richard Filion, who is intended appointee as member, Muskoka, Nipissing, Parry Sound and Timiskaming District Health Council. Welcome to the committee, sir.

As you know, you are welcome to make an initial statement, if you see fit, and then the questions will be directed, 10 minutes from each of the parties represented in the committee.

Mr Richard Filion: Thank you, Mr Chairman, and bonjour à tout le monde.

It's nerve-racking to come here, but to start with I should give you some of my background. I know you have that all in front of you, so I sat down this morning at around 6 o'clock and wrote a few things.

By background, my chosen profession has been the profession of dentistry. I've practised now for over 30 years. Most of my practice was in the city of Sudbury and I have now gone into a sort of semi-retirement, although my wife won't agree with me. I practise about three days a week in the small town of Sturgeon Falls, which is now the centre of the new municipality of West Nipissing.

I sit on the town council in West Nipissing. Last term I was the deputy mayor; this time around I'm a councillor. I have duties regarding my municipal election. I served previously as a councillor of Springer township, which is now part of the municipality.

My duties right now extend to being on the planning board and industrial development. I represent the muni-

cipality on the North Bay and District Health Unit. The latest task that I've undertaken with the municipality is chairing the West Nipissing Energy Services, which are two corporations which handle the local supply of electrical power to the community, and also we take care of the water and sewer utilities in the town. We are looking at expanding into other fields, but that's what I do right now.

I'm also quite an avid hunter, fisherman, camper and all this. I love the outdoors. I guess it's typical of most northerners. As such, I sat on a commission for the government called Lands for Life, which was a planning exercise. I was on the Great Lakes-St Lawrence Round Table. I found it a very rewarding experience to be on there because I learned to work with people with very different agendas. I sort of represented that outdoor use type of thing, but I came to respect a lot about what the environmental people were telling us, what people in business such as tourist operators and loggers were telling us, and I learned all about multi-use for the land. I think that is important.

We also, I think most of all, learned about building consensus among a group, a commission or a board. It served us well. I know it was a very controversial process that not everyone agreed with, but certainly it was one where the public had the opportunity to express their views as to what they wanted to see done with our crown land in Ontario, parks and other protected areas. I was also involved a lot in a template of the elk release program in the Burwash-French River area.

Another area of interest that I have has been in the regulatory body of one of the health professions, that, of course, of dentistry. I was there this morning, as a matter of fact, because I chair the complaints committee. I've been on the Royal College of Dental Surgeons as the northern Ontario representative, elected by dentists, for 16 years. I've served as president of the college. I possess two fellowships, one in the Academy of General Dentistry and one in the International College of Dentists.

That is about it as far as what I do and what my background is.

Why do I want this job? Good question. I think the reason is because society has been very good to me in my years. I'm happy, I've worked hard and I think I've achieved a lot of goals in life. I think in our later years it's a good opportunity sometimes to put something back into the community. I have a big interest in the way we deliver health services. We may not all agree on how we do it, but I think we all know that we have to do the best we can with whatever limits us. That is basically why I wish to sit on this board and to have that kind of input. I've treated patients all my life and I think I can understand the need for a healthy population.

The Chair: Thank you very much, sir. We begin our questions with the official opposition.

Mrs Dombrowsky: Good morning, Mr Filion. Very nice to see you today. You are, I'm sure, aware that one of the mandates for district health councils is to advise the minister on health needs and health matters. Right

now, as a citizen of the province, if you were to offer the minister advice in terms of better meeting the health needs of the province, what might you advise?

Mr Filion: First of all, the advice is a collective one that's given by the committee. Personally, if I was to talk to Mr Clement—he came to visit our council just a few days ago—probably I would say stay the course. Let's try to maximize the efficiency of the health services that we deliver in the province. So many things that we can do sometimes—and it's not just dollars. I think we realize this in dentistry. It's an attitude, it's a way of doing business.

Political things set aside, I think we all want to do what's best for the population of Ontario and, as far as I'm concerned, create a more efficient delivery of services and a more balanced one in Ontario.

Mrs Dombrowsky: I must say that I'm somewhat disappointed that you would suggest that the minister would stay the course, particularly in light of the fact of what we hear, what we understand in the national media in terms of the many problems there are in health care—the shortage of doctors, the shortage of resources, the fact that people cannot get health services within their community, the fact that CCACs are not getting additional dollars to provide more services within their communities.

1130

Mr Filion: I guess what I mean by staying the course is basically if the government is trying to make it more efficient, in other words, eliminate waste or things like this in the system, I think this is a good thing. If the objective of the government is to give a better service ultimately, I think that is staying the course. Keep on trying to do a good job.

Mrs Dombrowsky: You also made the comment about a way of doing business. I would suggest that your particular role is to consider the health services that are required within a community and consider ways that those services can be implemented, because many of them are not, and improved for the people. Again, I'm disturbed that you see this more from a business perspective and that you think the minister should stay the course. I know it would not surprise you to understand that would not be the perspective of our party.

Mr Filion: I think you have misunderstood my comments. When I read reports such as the longevity of northerners as compared to the province in general, that we live more than two years less than the average Ontarian, I think this is something for concern and it is something that we want to find the answers to, try to better deliver services in northern Ontario. That's what I really meant by this kind of thing. Our way of doing business is perhaps not in a business sense but rather the way we deliver these services.

Mrs Dombrowsky: You talk about services in northern Ontario. Do you have an opinion on the northern health travel grant and the way it is applied?

Mr Filion: Yes, I think that we have to have this simply because of the vastness of our area. We know

this. Yes, I would like to see the travel grants, for one thing, continued and I certainly would like to see them enhanced and perhaps more specific as to the needs of northerners. I understand that southerners who have to come to northern Ontario for very specific services enjoy a certain advantage that northerners don't enjoy when they come down south. So I would like to see some of these things addressed and perhaps rectified.

Mrs Dombrowsky: Do you have a political affiliation, Mr Filion?

Mr Filion: Yes, I do. I take some interest in politics and I'm a member of a political party. I joined that party.

Mrs Dombrowsky: What party would that be?

Mr Filion: That would be the Progressive Conservatives.

Mrs Dombrowsky: Are you a member of the executive?

Mr Filion: No.

Mrs Dombrowsky: Have you ever run for office?

Mr Filion: No, ma'am.

Mr Crozier: I want to just pick up a bit on the efficiency answer that you gave and I want to go on record as saying that I want to see the most efficient health delivery system in the world. I support that. I want to see the most efficient education system in the world. I want to see the most efficient Premier's office in the world. That seems to be the continuing reason given for staying the course, as you said. How are you going to determine when we've reached peak efficiency and therefore have to do something else to alleviate the problems?

Mr Filion: I think we're far from having reached peak efficiency in the service—

Mr Crozier: What do you base that decision on? What can you give me as examples of where you think we're far from the efficiency we should have?

Mr Filion: I think the member to your right has highlighted one of them, the northern Ontario travel grants for medical. I think there are other places—

Mr Crozier: But that's going to cost more money.

Mr Filion: Yes, it is.

Mr Crozier: OK, and I'm a southerner who supports that. I have the southerly riding in the province and I support you 100%.

Mr Filion: Thank you very much.

Mr Crozier: But let's get back to this definition of efficiency and how you can give me examples—

Mr Filion: I think if we get into the minutiae of the delivery of services, the very close things, this is where a health council can function very well to identify some areas where efficiencies can be improved and achieved. I think we are all in agreement that sometimes things can be made better.

Mr Crozier: Probably every day everything can be improved.

Mr Filion: That's right. I had to use the system the other day with an accident with my arm and I was very pleased with the system. I could recognize things that could be improved. There were lots of people in the

emergency department waiting for services and that type of thing.

Mr Crozier: But that would take more staff, perhaps.

Mr Filion: That's right.

Mr Crozier: More beds.

Mr Filion: That's right. This is something we have to achieve. We have to examine in terms of the big picture of what we can afford and get the best bang for the buck, sir.

Mr Crozier: You haven't defined that for me yet. Let me ask one more question that relates to your being on the district health council. Did the health restructuring commission come into your area and make some decisions?

Mr Filion: No, sir.

Mr Crozier: They didn't?

Mr Filion: No.

Mr Crozier: Good. So you think, then, that the Minister of Health, rather than listening to an appointed commission, will listen to the district health council when it comes to advice as to how to handle health delivery in your area.

Mr Filion: One would hope so, because I think that as a result of studying the various aspects of health delivery in the district health council's purview, one would gain a certain expertise and knowledge that would be valuable to the minister in making decisions.

Mr Crozier: Do you think it made any difference that the Premier of the province lives in the Nipissing area that the health restructuring commission didn't come in there?

Mr Filion: I don't think so.

Mr Crozier: OK. Thank you, sir.

The Chair: Thank you very much. It'll be the third party.

Mr Christopherson: Thank you very much, sir, for coming in. I have to tell you, you lost me on "stay the course," so perhaps we can make this short and sweet. I can't support this appointment. The last thing we should be doing is staying the course, sir. Thank you, Chair.

The Chair: Thank you kindly. The government caucus.

Mr Ouellette: Thanks for your presentation today. A couple of things. Following the official opposition's questioning, do you have an opinion whether currently there is adequate funding within the health care system and it just has to be administered in a different fashion?

Mr Filion: I'm not sure I understand your question.

Mr Ouellette: Currently there is \$22.4 billion being spent on health care and a lot of the responses are typically for more funding. I'm not so sure I'm of that opinion, although trying to convince us is a regular occasion. Is the funding being correctly spent on health care? Chiropractors are asking, I believe, for \$85, up from \$70, per visit for everyone to pay. Could there possibly be enough funding in the system if it was being spent in a different fashion?

Mr Filion: This is probably what emanates from doing research as to where the priorities should be in the

health care system and its delivery. I think there's always room for improvement. We're not perfect.

Mr Ouellette: Do you think those priorities you just mentioned have been established or should be established by the Canada Health Act?

Mr Filion: Yes, I think so. I think that, broadly speaking, the needs of Canadians as a whole are pretty uniform, and we are Canadians. There are local priorities as well that should be examined and there are certainly provincial ones. There are local ones. For instance, we see a higher rate of smokers in our area. This was brought out in the health unit in that report on the health of Ontarians, so perhaps that might account a little bit for our lack of longevity. I think, all in all, the requirement that local health issues be brought to the attention of the minister is most important.

I can probably speak more of dentistry than anything else. I treat a lot of native children. It's an area where they're in need of a lot of public health education, not just treatment but also to actually prevent some of these dental diseases. I would imagine that extends over other disease processes as well.

Mr Ouellette: Thank you for your answers.

1140

The Chair: That concludes the questioning and you're welcome to step down. Thank you very much for being with us.

We're going to deal with a couple of things. We'll deal with concurrences, of course, and then I would like us to deal with the letter we received in response. Thank you, Mr Wood, for assisting us in getting the response. You were kind enough to do so. I may not find the letter is as nice as I want it to be, but nevertheless it was very kind of you to do so, sir.

We'll deal with concurrences.

Mr Wood: I move concurrence re Mr Simpson.

The Chair: This was Thomas Howard Simpson, intended appointee as member, University of Toronto governing council. Any comment, discussion? All in favour?

Mr Christopherson: Recorded vote.

The Chair: A recorded vote has been requested.

Ayes

Johnson, Kells, Ouellette, Wood.

Nays

Christopherson, Crozier, Dombrowsky.

The Chair: Thank you.

Mr Wood: I move concurrence re Mr Sheppard.

The Chair: Concurrence has been moved by Mr Wood for Howard Sheppard, intended appointee as member, board of health for the Haliburton, Kawartha and Pine Ridge District Health Unit.

Mr Christopherson: Recorded vote.

The Chair: A recorded vote has been requested. Any comment, first of all? If not, all in favour?

Ayes

Crozier, Johnson, Kells, Ouellette, Wood.

Nays

Christopherson.

The Chair: OK.

Mr Wood: I move concurrence re Mr Black.

The Chair: This is Ronald Black, intended appointee as member, Smith-Ennismore Police Services Board. Concurrence has been moved by Mr Wood.

Mr Christopherson: Recorded vote.

The Chair: A recorded vote is requested. Any discussion before we have the vote? If not, all in favour?

Ayes

Johnson, Kells, Ouellette, Wood.

Nays

Christopherson, Crozier, Dombrowsky.

The Chair: That motion is carried.

Mr Wood: I move concurrence re Mr Filion.

The Chair: Mr Wood has moved concurrence of the intended appointee, Richard Filion, as member, Muskoka, Nipissing, Parry Sound and Timiskaming District Health Council.

Mr Christopherson: Recorded vote, please.

The Chair: A recorded vote is requested. Any discussion before the vote? All in favour?

Ayes

Johnson, Kells, Ouellette, Wood.

Nays

Christopherson, Crozier, Dombrowsky.

The Chair: The motion is carried.

All concurrences have been carried by the committee.

VACANCY NOTIFICATION PROCEDURE

Mr Bradley: I would like to deal with a letter now, because the committee requested a letter on the appointments process that's of some interest. I'm going to take a minute to read it into the record so we have it in Hansard. I think that would make sense so we know what we're discussing in the future, because not everybody will have access to the letter.

It is addressed to the Chair of the standing committee on government agencies. It is from Catherine Mustard, department head, Public Appointments Secretariat.

"Dear Mr Bradley:

"I am writing in response to your letter of May 28, 2001, in which the standing committee on government agencies sought information on the vacancy notification procedure for appointments to agencies, boards and commissions.

"The government in the past published 'The Guide—Agencies, Boards and Commissions' on an annual basis. This guide listed all current agencies, boards and commissions to which members of the public were appointed. It provided members of the public an opportunity to see the diversity of agencies, boards and commissions and to consider opportunities for public service as a public appointee. The guide listed the function, classification, legislative authority, membership, remuneration and term of appointment. In addition, the names of current members and their respective terms were listed. A member of the public could make application for an appointment by completing the application form contained in the back of the guide.

"The guide was first published in 1991 and made available to the public through the Ontario Government Bookstore and the Public Appointments Secretariat. In addition copies of the guide were sent to public libraries and to the offices of members of the Legislative Assembly.

"The final year of publication was 1995. At that time it was determined that the cost of producing and distributing the guide was excessive in relation to its utilization. The cost of publication was approximately \$175,000 annually for French and English versions.

"A major problem with the guide was that it was outdated before it was printed. Terms of appointment identified for agencies, boards and commissions and potential vacancies identified as a result of the terms' expiration date were in many cases filled by the time the publication was released. The province appoints in excess of 5,000 members to over 600 different agencies, boards and commissions. With different terms and staggered dates of appointments, this means that there are over 1,000 new appointments annually and approximately 1,100 re-appointments. In many instances ends of terms were construed as vacancies, giving a false expectation of opportunities available.

"In February 1998 the government decided to make the information contained in the guide available to the public by means of an Internet Web site. Through the Internet more members of the public have more direct access on an immediate basis to the information. At present the only information not contained on the site is the individual names and terms of the appointees. The information provided is always current, as the Web site is updated on a daily basis. It is the intent in the future to add the names of members of individual agencies, boards and commissions and their respective terms (start and expiration dates) to the Web site. The site currently has limited French capability but steps are being taken to translate the remaining information.

"Additionally, the Public Appointments Secretariat produces, on a monthly basis, a six-month projection of

upcoming vacancies. This projection is provided to the leaders of the opposition and to all government members. The secretariat is planning on making the projection, which contains the names and expiry dates of current appointees over a six-month period, available on request to members of the public at the secretariat located in the Macdonald Block. In addition the appointments secretariat will send the projection to all MPP offices each time it is updated.

"I hope that this answers the questions of the standing committee on government agencies.

"Yours truly,

"Catherine Mustard

"Department Head,

"Public Appointments Secretariat."

Any discussions, comments on that? Mr Christopherson.

Mr Christopherson: I haven't looked at the Web site, but can someone confirm that indeed all that information that used to be in the book is now there on the Web site?

The Chair: I'll ask Mr Pond if he might have some information on that. It's just off the top of our heads.

Mr David Pond: As the letter says on page 2, sir, "It is the intent in the future to add the names of members of individual" ABCs. They're not on there today.

Mr Christopherson: But everything else is?

Mr Pond: What's on the Web site are the lists of the agencies, the minister to which they report, a brief summary of their statutory mandate, the remuneration, if any, and the size of the board of directors. But the individuals who are currently serving on the ABCs, as the letter does indicate, are not right now available on the Web site.

Mr Christopherson: The statement is very, very explicit, "In February 1998 the government decided to make the information contained in the guide available to the public by means of an Internet Web site."

Perhaps, Chair, we should ask legislative research to specifically compare what exactly was available in the guide and what is now available on the Web site and determine if there's anything missing beyond what the letter already acknowledges.

Mr Crozier: Yes, I think that would be fine. I visited the Web site a number of times and, really, in its present state the only thing it gives is some general information as to what the boards, agencies and commissions are. It isn't very helpful when it comes to the public being interested in specific appointments.

We've now been three years since the government decided to make the information available. In my view, that would have been adequate time to have all that information there. I think what we should do is encourage the secretariat to move along with that initiative, because without the terms of the appointees it really isn't of as much use as the guide used to be. So I appreciate the intent of the Public Appointments Secretariat.

Additionally, the letter says the secretariat is planning on making this projection of vacancies available. I would encourage the secretariat to do that as quickly as possible, in making it available to the public, not only at

the Macdonald Block, but as I said, through the Web site itself. In the meantime, though, the last sentence of the next-to-last paragraph, where it says, "In addition the appointments secretariat will send the projection to all MPP offices," I take it that that's from the date of this letter on, so that we will receive them without asking for them.

1150

Either through the Chair we can clear it up, or perhaps through the government members, or I'll write myself to ask if it's the intent that from May 28 on all MPPs are going to receive the projection.

Mr Wood: I suggest that you, Mr Chair, might write and put the request in and when you receive the answer, distribute it to all members of the committee.

The Chair: If I may, I will ask staff to assist me, through what's in Hansard now, in composing a letter to them. Before the letter goes I would like to provide a copy to Mr Wood, perhaps, Mr Crozier, Mr Martin or Mr Christopherson so they could approve the letter before it goes, so it encompasses what the committee wants, as opposed to simply my thoughts.

Another thing I'd be interested in from our point of view as a committee: they mentioned the significant cost of \$175,000 annually. Often with these things when you produce them, it's the first cost that's really the most expensive and after that the cost goes down. I'd be interested in our research looking at the cost and comparing it to the costs of a Web site, for instance. I don't know what the costs of a Web site might be. Our research people may be helpful in providing us with information there.

Mr Crozier: I just have two other I guess requests of the Public Appointments Secretariat. When we get the list of the intended appointees each week, it's faxed to us. I would think in this day and age that it could be e-mailed to us. It seems to me we've made that request and for some reason the secretariat can't e-mail it.

Mr Wood: Why don't we ask them?

Mr Crozier: Yes. Secondly, I would suggest that these projected appointments they're hopefully going to provide to all the MPPs could be e-mailed as well. That's all.

The Chair: Does our clerk have any comment on that at all yet? No.

Mr Crozier: I know the Chair would like that because he wants this information on his laptop.

The Chair: I'd be happy to have it two different ways. I'm like Bert. I like that being delivered in the House, for instance, so it would be nice if it were available both ways. The problem is, electronically speaking—and I think Mr Johnson made a point before—what happens, if your electronic equipment isn't working, is that at least you've had a page deliver something in the House. In this case, at least one of the two pieces of electronic equipment we would hope is working so we can get that information. So it would be very handy to have that information.

I'm encouraged as well, I might add, from the letter, that not just the government members but all members will now receive that information. It's nice in a committee like ours, since we deal with this, that all members would receive this information now. That's very encouraging.

So I will have staff assist me in preparing a letter and I will have it reviewed by each of the three parties.

Mr Ouellette: Mr Pond, the information found on the Web site I believe is comparable or more detailed than what was found in the book in the past, is it not? I thought it was. I thought the information, when I refer people to it—

Mr Crozier: Jerry, really it's not.

The Chair: I'll get Mr Pond to answer this first.

Mr Christopherson: Just on that, Jerry, I first of all asked the question—I think the same question but maybe a little different—but I had asked that the committee request that leg research do just exactly what you've suggested, to take a look at the two and let's make sure they are, but I didn't hear the Chair say that would be done.

Mr Ouellette: I'm like a lot of members. We get people coming in and asking about these and we photocopy that and we tell them on the Net. The response that has come back to me has been that the information has been better from the Net.

Mr Crozier: The terms aren't there, for example, some individual's terms.

Mr Ouellette: Oh, you mean the periods?

Mr Crozier: Yes.

Mr Christopherson: We may have some other matters that aren't before us right now that are important, that aren't there, that should at least be brought to our attention. Or if it's all fine, then great, we can just put the whole issue to bed.

The Chair: We have all of the information then in Hansard and our staff can review Hansard and we'll do this as expeditiously as possible on your behalf so we'll all be satisfied, or at least have the information. If not satisfied, we'll have the information available to us.

Any motion?

Mr Johnson: I just want you to know I just live on that very edge of the electronic—that's why I'm so interested in this particular subject.

Mr Crozier: The leading edge?

Mr Johnson: The leading edge, but my system goes down. Every once in a while I run into a problem in photocopying and faxing from my cell phone in the car. Not all the time, but every once in a while.

The Chair: That's why it's good to have a Palm Pilot with you at all times.

Mr Johnson: Exactly.

Mr Ouellette: I move adjournment.

The Chair: A motion to adjourn is moved by Mr Ouellette, in this case. All in favour? The motion is carried. Thank you, ladies and gentlemen.

The committee adjourned at 1155.

CONTENTS

Wednesday 13 June 2001

Intended appointments	A-85
Mr Thomas Simpson.....	A-85
Mr Howard Sheppard.....	A-88
Mr Ronald Black	A-91
Mr Richard Filion	A-95

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Morley Kells (Etobicoke-Lakeshore PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr David Christopherson (Hamilton West / -Ouest ND)

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer, Research and Information Services

A-8



A-8

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 20 June 2001

Journal des débats (Hansard)

Mercredi 20 juin 2001

**Standing committee on
government agencies**

Subcommittee report

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapport du sous-comité

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 20 June 2001

Mercredi 20 juin 2001

The committee met at 1006 in room 228.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I'm going to call the meeting to order for Hansard purposes.

We have, first of all, the report of the subcommittee on committee business, dated Thursday, June 14, 2001.

Mr Bob Wood (London West): Mr Chair, I move its adoption.

The Chair: Mr Wood has moved the adoption of the subcommittee report. All in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

JOHN THOMPSON

Review of intended appointment, selected by third party: John C. Thompson, intended appointee as member, Ontario Film Review Board.

The Chair: Our first intended appointee, as a member of the Ontario Film Review Board, is John C. Thompson. Mr Thompson, would you come forward, please? Welcome to the committee. You may sit right there. Should you choose to do so, you may make an initial statement, the time of which is subtracted from the government members' questions.

Mr John Thompson: I'll be brief, then.

The Chair: Thank you very much, sir.

Mr Thompson: Actually, I'd like to thank you for your time this morning. I've talked to enough elected representatives from different countries and levels of government over the years to know how pressed some of you are for time.

I also realize I might be, to some, an unusual appointment for the film review board, but few people have the experience I've garnered over the years. Without going into detail, among the things I've looked at over the years have been field investigations into the black market, various examinations on criminal activities and so on and also research into strip clubs and the sex industry. On top of that, there's a fair amount of travel and work in other countries and a very thorough understanding of some of the underside of the human condition.

Now, I do understand that about half of the work of the film review board is involved in screening pornography, and in those aspects of my work that have dealt with the related components of the adult entertainment

industry, I've come to understand the twin forces that pull on society, where we have our fascination with sex and the erotic aspect of our natures and at the same time the opposite pull to try to keep the destructive effects of things under control. This sort of struggle between permissiveness and prudence is an old one, and I understand both sides of the issue quite well.

I do have a strong commitment to freedom of expression and a healthy respect, even a degree of envy, for people in whom a spirit of creativity runs strong, but at the same time I have a fairly limited tolerance for anyone who would degrade other people or strip them of their dignity, and that sometimes will include entertainment. There's a boundary line that cannot be crossed, and I believe the film review board honestly represents the values of the vast majority of Ontario citizens and knows where that boundary line is.

Another concern of the film review board involves the depiction of violence, torture and cruelty. These are areas I've studied professionally for some 15 years. I've written about them and commented on them for years and, for what it's worth, I also have some first-hand experience with violence, having been twice shot at, among other things. With this, I believe I can provide good insight into what might be gratuitous, excessive and unnecessary, and again, I have a limited tolerance for the same.

I know the film review board provides an important function in helping Ontario citizens make informed choices about what they or their families will watch. Classification requires good judgment, maturity and experience, and these are attributes that I will bring to the board. Thank you.

The Chair: Thank you very much, sir. This was a choice of the third party, so I'll start our questioning today with Mr Martin of the third party.

Mr Tony Martin (Sault Ste Marie): Thank you very much. I'm sure you're aware that one of the tasks of this board to which you're seeking appointment is to understand and try to maintain some sense of community standards when it comes to the kinds of offerings that are made by way of films to the public. What's your sense of how community standards are set and what would you bring to this position by way of an understanding of what we mean by community standards?

1010

Mr Thompson: In my own experience, in some issues there tends to be a rough consensus eventually, an area in

which people who are opposed to something will no longer protest against a particular point. At the same time, on the other side of the issue there are people who are always sort of pushing the boundaries. I should explain. For example, in Parkdale I did some work with people in the area who were dealing with streetwalkers and they were, of course, absolutely opposed to street prostitution. On the other side, you could see how the industry was sort of filtering in and how the women were coming in off the streets, always trying to find new venues and so on. They've never got rid of prostitution in Parkdale, but eventually a sort of consensus arrived as to what would be tolerated and what would not be tolerated. People eventually worked it out for themselves.

When I was doing a research project on strip clubs in Ontario, again, I had a pretty good idea of what people were opposed to and, at the same time, what most people in the industry were content to do and the dissatisfaction they had with people in strip clubs who kept trying to push the envelope even further in the other direction. That struggle between, as I said, prudence and permissiveness is always a dynamic one, but eventually a consensus does emerge.

Mr Martin: How would you suggest that the board, or yourself if appointed to the board, continue to be in touch with the issue of community standards?

Mr Thompson: Actually, I do like the practice of the board where they occasionally invite people in from the general public to make their own judgment of the film and to see whether or not they actually agree. At the same time, I think the board clearly understands that pornography is legal in Ontario, is permissive and there is a wide audience for it. But the standards they watch out for are things I'd say 99.9% of Ontarians would not want to see in pornographic videos. It's the same thing, I suppose, with violence.

Mr Martin: You've talked a fair bit in your time this morning about the issue of pornography. There are other issues, of course, where films are concerned, violence being one of them. There seems to be a different standard, where we seem to be skittish when it comes to sexuality and things people do of a sexual nature, but when it comes to violence there seems to be no limit to what we'll show under the aegis of entertainment. You've talked a bit about your experiences, having done some work in the area of regulating strip clubs. What about violence?

Mr Thompson: I've actually got some practical experience with violence and, at the same time, it's something I've studied for most of my life. A lot of it really, I suppose, depends on context. For example, I don't know if you ever saw the first half-hour of the movie *Saving Private Ryan*, which was pretty horrific, but at the same time that was actually a time machine. It was instructive. That was a fairly realistic depiction of what was occurring at the point in history. For myself, I would have graded the film *Restricted* for that, or at least hoped that it was *Adult Accompaniment*. At the same time, if you have a degree of violence like that without a point, that is

gratuitous and excessive or celebrates violence for its own sake, then I'd be a lot more uncomfortable with that.

Mr Martin: I'm not sure if you're aware or not, but the industry itself, I believe, last year did a review of its rating system and came forward with the suggestion that the category of *Adult Accompaniment* be split into two: 14A, which would mean that children under 14 would have to be accompanied by an adult to see certain movies. and 18A, which would mean those younger than 18. Right now, there seems to be a catch-all. Once you're over 14—I've got three kids now over 14 who seem to think they can go to anything and they use the argument that, "Well, Dad, it's PG or AA-13 or -14." The industry itself is suggesting that there be another category, 18A. What's your view of that?

Mr Thompson: Actually, I think that distinction makes sense. There are things that a 14-year-old or 15-year-old still might not be mature enough to understand or to handle that somebody who is 18 probably could.

Mr Martin: OK. What about the new area that is coming on stream now which, again, I recognize with my own kids, and that's the regulation of video games? There are some video games, particularly where violence is concerned, which are quite shocking. I know that in British Columbia they've moved to regulate the sale and distribution of video games, asking those who distribute them, who are in that business, to separate certain videos from ones that should be available. Again, it's the 14- and 18-year category that they've used. What's your opinion on that?

Mr Thompson: I suppose the real problem would be the shoot-'em-up video games, which is something I don't play myself for amusement, but I've seen them once or twice and they certainly look to be, again, excessive, gratuitous and extremely violent. On the other hand, some games I know have actually been converted. The US Marine Corps took *Doom II* because a person who played the game could actually tailor the environment, so they would create the interior of protected areas and then run marines through with this video game as a training system.

I have some problems with a video game which on one side you could use as a military training system to condition people to shoot quickly and automatically in protected areas and something that a 13-year-old can play for hours without adult supervision.

Mr Martin: What's your view re the bit of a brouhaha that's out there right now, the senior officer in our Armed Forces who watched pornography on his laptop and thereby lost his job? If you listen to some of the CBC playback, there is certainly a mixed bag of opinion on that. Are you aware of that and what's your view? .

Mr Thompson: In my own opinion, the question is, was he doing this on his own time and on his own ticket or on ours? If we're paying him to run our Pacific fleet, then he should be running the fleet, but if he's off by himself on his own time, then what he does is his own business.

Mr Martin: I note in your resumé that you have some fairly significant involvement in politics. Are you a member of any particular political party?

Mr Thompson: Provincially, no. Federally, I'm a member of the Alliance Party at the moment. But that's never really held me that much. I tend to get involved in political campaigns and in ridings, but that really depends on the individual. I've been all over the place. I've worked with people from just about every party on their campaigns at one time or another, normally because they were people I knew and respected.

Mr Martin: How did you find out about this particular appointment or opportunity?

Mr Thompson: I was talking to a friend of mine, Derek Nelson, about films and the judgment of films and he suggested that I actually put my name in for the Ontario Film Review Board and it went from there.

The Chair: We'll move to the government caucus.

Mr Wood: We'll waive our time.

The Chair: They are waiving their time, so we'll move to the official opposition.

Mr Bruce Crozier (Essex): Good morning, sir. Welcome to the committee.

In your resumé under "The Mackenzie Institute," it's obvious you're the executive director. I'm from rural Ontario and a lot of my information comes from the newspaper or something I might happen to read. If I were to read comments from the Mackenzie Institute in the newspaper, should they be quoted, might the Mackenzie Institute be described as a right-wing think-tank?

Mr Thompson: No, that's a characterization that I think is wrong and I've always resented. Personally, we tend to have a set of values that do work toward individual freedom and stability and, at the same time, individual rights, but beyond that we've normally gone after people who are involved in organized crime, insurgent groups, things like that. As for being right-wing, that's a criticism that's been levelled at us once or twice and it's something I've always resented.

Mr Crozier: So I may have read that. I was just trying to recall something about the Mackenzie Institute.

1020

Mr Thompson: I'm trying to remember the names of some of the newspaper columnists who have written about us. One called us "fair, impartial and protective of democracy." We've also been called "scrupulously accurate and discerning."

Mr Crozier: What's the main objective of the Mackenzie Institute?

Mr Thompson: To provide information and comment on matters pertaining to organized violence and political instability.

Mr Crozier: Violence, then, is the main thrust?

Mr Thompson: Organized violence. I don't deal with, say, things like criminology or individual criminal theory. A serial killer or something, I wouldn't be interested in, but organized violence that's being done, perpetuated for a particular cause, is something that always attracts our attention.

Mr Crozier: In Mr Martin's questioning of, essentially, how you would arrive at what may be community standards or contemporary standards, you made one comment about the fact that the board goes out and invites the general public to come in and view films. Is that what they do?

Mr Thompson: I understand they do that once or twice a month. They'll bring in a panel of 12 people from the general public and then see if their agreement corresponds with the board's assessment of a particular film.

Mr Thompson: What is it that you do in your day-to-day life that would allow you to meet a mix of Ontarians from whom you may get an idea of what community standards are?

Mr Thompson: I've talked to, over the past few years, if you look at some of the records of people we've interviewed on various fields and subjects, 800 or 900 people in the average year. When I get called on to do lectures, I go everywhere from universities to high schools to local community clubs. When we're researching a particular issue, we will talk to dozens and dozens of people on that particular issue.

Mr Crozier: So you do this in your professional life as well as, as I say, everyday kind of life.

Mr Thompson: Yes.

Mr Crozier: Also with regard to the military person whom Mr Martin referred to, you said it would be a question—I'm paraphrasing; perhaps you can remind me—as to whether it would be on his personal time or on our time. Have you ever done anything of a personal nature on the Mackenzie Institute's time?

Mr Thompson: Probably. I suppose we all have, but I don't think I've been using my computers in the office to download pornography.

Mr Crozier: No, I wasn't even suggesting that. I just was getting to the answer that you gave me: probably we all have. So it may not be that it was on his personal time or on our time; it may be what he was doing on our time.

Mr Thompson: I just find it hard to correspond, say, fleet readiness strengths or manpower levels with downloading pornography.

Mr Crozier: So do I. That's why I'm trying to get at where your problem with that is. Is it with what he was doing or when he was doing it?

Mr Thompson: Actually, I don't really know enough about it to comment. If this was an obsessive activity that he was spending hundreds of hours on, I would be concerned.

Mr Crozier: Oh, sure.

Mr Thompson: If this was something he did in five minutes in a lunch break sometime, then maybe DND is overreacting.

Mr Crozier: How's our time doing here? I just have one more question, but I want to leave time.

The Chair: You've got to 10:29 to ask.

Mr Crozier: OK, I'll just have one more question. We're doing a little organizing here; excuse us. You're currently working on two children's books, fiction and

historical fiction. Can you just tell me what kind of books those are? Have you written other children's books?

Mr Thompson: No, this is my first stab at it. I've got a niece who always liked me to tell her stories, especially about dragons and mythical creatures. So I've been assembling some short stories about this for her, and I'll see if I can get it published. I've got an illustrator lined up. I'm also writing an account of a piece of gold and how it's changed over 3,000 years, the different hands and the different times and places it passed through and what it meant to them.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Mr Thompson, you indicated earlier—was it Derek Nelson who suggested you apply for this job?

Mr Thompson: Yes.

Mrs Dombrowsky: Can you perhaps give us some indication of who Derek Nelson is?

Mr Thompson: He was a columnist at Queen's Park for many years. I believe he's also married to a member of the government.

Mrs Dombrowsky: Who would be?

Mr Thompson: Janet Ecker.

Mrs Dombrowsky: I see. You've indicated in your resumé that at the present time you're not married. Do you have children?

Mr Thompson: No, I don't.

Mrs Dombrowsky: I'm the mother of four children, and so I'm rather interested in the new rating, particularly that would refer to adult accompaniment. Do you think this is a better system of rating for the impressionable teenagers?

Mr Thompson: The distinction between 14 and 18? I think it would be preferable to just allowing adult accompaniment generally. I think there is a major difference between a 14-year-old and an 18-year-old in their attitudes. It's a time of tremendous change, as you well understand.

Mrs Dombrowsky: Yes, I certainly do understand. Sometimes 18-year-olds can be more like 13-year-olds, and vice versa. I guess the concern that I have is the actual monitoring, that while a film might be rated for 18-year-olds and under, those under 14 can access those films, whereas if it was strictly adult accompaniment, there would be no question around age, and that's a concern that I certainly have as a parent. I would think that perhaps the film board might consider that.

Also, the community perspective and community standards, you would appreciate that they would change from one community in Ontario to another. So there are communities where perhaps some activity might be more familiar or where young people would have been exposed to particular activities, where in other communities that may not be the case.

Mr Thompson: I think it's entirely possible in some cases, but again I understand the film review board tries to bring in people from all over Ontario to reflect different communities and their different approaches to things. At the same time, of course, community standards are

also dynamic. Although I do appreciate that the film review board does have some hard and fast rules about, say, the depiction of torture or the use of minors in pornographic movies, that's sort of a line that really can't be touched and shouldn't be. I'd be very surprised if the community turned around and suddenly tolerated those.

Mrs Dombrowsky: I only know in my own experience as a member from rural Ontario that I travel in circles with parents who, from time to time, would say they are very disturbed at some of the movies that young people are able to access very freely in terms of the language and what is presented on the screen, violence and what they would say is pornography.

Mr Thompson: I also think you might be surprised how those concerns are shared by people in downtown Toronto as well.

Mrs Dombrowsky: Precisely, which is, I guess, maybe my question about the effectiveness of the ratings now for adult accompaniment, whether they are appropriate or whether they were better the way they were before.

Mr Thompson: I think they are more appropriate, but, again, there will never be complete unanimity on the division. But I think to discern between those under 14 and those between 14 and 18 would be more useful.

The Chair: Thank you very much, sir, for appearing before the committee. You're allowed to step down now.

MARGARET MARTIN

Review of intended appointment, selected by third party: Margaret Martin, intended appointee as member, the Early Years Steering Committee of the city of Toronto health unit.

The Chair: Our next intended appointee is Margaret Martin, who is an intended appointee as member, the Early Years Steering Committee of the city of Toronto health unit. Welcome to the committee, Ms Martin. As you probably heard, you're quite welcome to make an initial statement, if you wish, the time of which, I should say, is subtracted from the government members' questioning time. I was once chastized for not reminding them of that. Anyway, welcome to the committee. We're happy to have you before us.

1030

Ms Margaret Martin: Thank you and good morning, Mr Chair and members of the committee. My name is Margaret Martin. Thank you for this opportunity for having me here this morning. I'd like to take this time to give you a brief background of myself with respect to being considered for the appointment to the Early Years Steering Committee of the city of Toronto health unit.

I was raised in Dundas, a town that provided for my family a strong community fabric of support and strength that played a great role during my youth. I completed my post-secondary education at McMaster University and at the University of Toronto. Throughout my teens and 20s, I was involved with the Polish scouting organization of Ontario. I worked extensively on initiatives that would

help give the young people in my community the opportunity to spend a couple of weeks at summer camp, experiencing new friendships and opportunities and building confidence.

This community also very much influenced me in who I am today. More importantly, it impacted on my awareness of how fulfilling it is to have a community network to support you, not only in your older years but those of your youth as well. During the last 10 years, I have become involved in the Polish-Canadian community. Presently, I am on the board of directors of the Canadian Polish Congress, working with committee groups that deal with issues including ESL and support services to new immigrants.

In 1996 my son, Ethan, was born. Before his birth, I began to identify as much as possible the resources that would help me in raising him. My primary one was my family, but I also looked to books and the community. We live in the riding of Parkdale-High Park, a mixed socio-economic neighbourhood that, in my mind, is a good representation of the city of Toronto.

During Ethan's first two and a half years, I participated in many of the available programs in my community. As a new parent, I became interested in what was available to my child during those first years. Ethan has been attending preschool and junior kindergarten in a school in our neighbourhood. I have spent the two years working with school representatives as a class parent and am planning to continue my involvement with them. Ethan is a very fortunate child to have a strong, supportive family and will have access to many wonderful things throughout his life. And that is why I am here today.

My interest in the steering committee is a belief that it will play a significant role in our community by increasing availability of programs to children and families. These programs are a crucial part of the needed resources that parents and caregivers need for children during those first years. The Early Years Study has provided us with a vision. It's now the role of the committee to take up the challenge to champion early childhood development. Thank you.

The Chair: Thank you very much. We'll start with the government members.

Mr Wood: We'll waive our time.

The Chair: The time has been waived. We then move to the official opposition.

Mrs Dombrowsky: Thank you, and good morning, Ms Martin. I did notice in your resumé you've indicated that you are involved in your riding association?

Ms Martin: That's right.

Mrs Dombrowsky: I can assume, because you have been an employee of the government, that it would be the Conservative riding association?

Ms Martin: That's correct.

Mrs Dombrowsky: Both federally and provincially?

Ms Martin: At this point just provincially.

Mrs Dombrowsky: Just provincially. OK. With regard to the early years initiative, you are familiar with

the National children's agenda and with the federal dollars that have been transferred to the province?

Ms Martin: Yes.

Mrs Dombrowsky: You are aware that the \$114 million that Mr Baird unveiled plans for are federal dollars?

Ms Martin: Yes.

Mrs Dombrowsky: OK. I think that's very important to appreciate. Are you aware of the four areas where the federal government indicated it would be appropriate to spend those funds?

Ms Martin: I do recall that they had indicated that the funds were to be divided into four different areas, but I'm not 100% sure what the four are.

Mrs Dombrowsky: Do you know that one of the areas was for child care?

Ms Martin: That's right, yes.

Mrs Dombrowsky: Are you familiar with the fact that, according to Mr Baird's plan, not one cent will be directed toward child care?

Ms Martin: That's correct. Yes.

Mrs Dombrowsky: Yes. Do you have an opinion on that particular fact, given also that in the city of Toronto at the present time there are 13,000 children waiting for a child care fee subsidy?

Ms Martin: Well, I think that child care is—it's necessary that parents have a choice in their child care and that they're able to work within their community to be able to access the child care that they will need. But I also think that the city of Toronto is very unique. The immigration, the population is growing. We're finding ourselves at a point where we're—hopefully, through the work of the steering committee, they will be able to tap into the resources that need enhancement that will be able to help the situation.

Mrs Dombrowsky: I certainly support your idea, your presentation. It's important that parents would have a choice. I'm sure, though, you understand that for many parents in the city, because of the cost of child care and the shortage of spaces, there is no choice, because they cannot afford to access the spaces that might be available to them. As a member of the steering committee, would you think it's appropriate to advocate for government support for child care for more subsidized spaces so that more families who need quality child care for their children can access that?

Ms Martin: As one voice of 10, I'm sure that when that issue does come to the table I would definitely participate in a discussion of the need to have spaces, and the committee would then make a suggestion to the minister.

Mrs Dombrowsky: Certainly, I would hope that. Do you see yourself as an individual who would bring that issue to the fore?

Ms Martin: To discuss it? Sure, absolutely. It's a part of the requirements, the needs of children. Absolutely. It would be a part of a number of issues that would have to be discussed when we sit down to put together the plan.

Mrs Dombrowsky: Are you familiar with the organization called the Coalition for Better Child Care?

Ms Martin: I'm familiar with them.

Mrs Dombrowsky: Are you aware that they have had a campaign which has gone across the province to assess how communities are meeting the child care needs within their communities? Were you aware that initiative was underway?

Ms Martin: Yes, I am.

Mrs Dombrowsky: I'm glad. I've attended many of those forums. Certainly at none of the forums I attended were government members present, although I know they were invited, so I do have a concern that maybe the very good information that was presented in those forums was perhaps not arriving with the members of the government. I think it's important information for them to have, to understand that across Ontario there is a serious and significant need for support of child care services within communities for families who do not have the means to pay for the spaces that would not be subsidized; that they really do need those services. I'm happy to know that you are familiar with them.

That would conclude my questions. Thank you very much, by the way.

Mr Crozier: Thank you and good morning, Ms Martin. In an answer to Ms Dombrowsky's question regarding the 13,000 children who are waiting for subsidized daycare spaces in Toronto, part of your comment—and I'd just like you to perhaps repeat it—was that you referred to the immigrant population. Could you elaborate on that?

Ms Martin: Sure. I just think Toronto is unique in the situation that it finds itself in when you're discussing numbers, for instance, and addressing the issues. You have English as a second language, you have disproportionately more immigration ending up in Toronto versus smaller communities.

Mr Crozier: What did you mean, though, having it in the context of 13,000 spaces being waited for for subsidized daycare?

Ms Martin: My comment was because I've been working with Polish immigrants who have been coming to Ontario and seeing that proportionately I have far more that I have to discuss and meet with compared to places outside of Toronto. They're coming to Toronto for the first couple of years, often before they move to other communities in the province.

Mr Crozier: You do see a relationship, then, between this waiting list for subsidized daycare and immigration? I want to be sure that I understand what you mean.

Ms Martin: I haven't done the research on it; it's just from my own experience working with Polish immigrants who are coming to Canada who are often staying in Toronto for their first year or two. These families often are waiting also. The parents are trying to find jobs. They're also looking for subsidized daycare. I think proportionately there are more in the Toronto area in the first years compared to going outside of Toronto. That's what I'm trying to correlate. But I don't have the research. I assume once we are on the committee we will be detailed with numbers and facts that will help us.

Mr Crozier: The Enterprise Canada group is described in your resumé as a consultant. Is it a registered lobbyist?

Ms Martin: Yes.

Mr Crozier: It is? So you act as a lobbyist?

Ms Martin: A government relations consultant, yes.

Mr Crozier: You left the office of the minister December 1997 and started in January 1998, literally went from one job to the other, from being, I take it, on the minister's political staff, to becoming a lobbyist. Help me, because I really can't recall; are there any specific regulations that would prohibit certain employees of government from doing that?

1040

Ms Martin: There are, but in fact the first year I was with Enterprise Canada I did no government relations. In the first year you're prohibited from contact with the ministry that you were working in. But I initially was assisting some staff; I did no government relations.

Mr Crozier: I see. The daily communications you have with Queen's Park, both bureaucratic and political, what kind of communications are those?

Ms Martin: For instance, news releases. As announcements are made from ministries, identifying on behalf of clients information that may be useful to them.

Mr Crozier: And the Ontario Legislative Highlights weekly newsletter is something that Enterprise Canada produces?

Ms Martin: That's correct.

The Chair: That concludes the questioning for the Liberal Party. We go to the third party.

Mr Martin: I was worried when I first saw your name that actually it was—

Mr Bert Johnson (Perth-Middlesex): Are you related?

Mr Martin: I was just going to say, when I first saw her name I thought maybe it was my sister coming, because I do have a sister.

Ms Martin: Margaret?

Mr Martin: Yes. Maybe she wasn't telling me something.

Ms Martin: The moment I became Margaret Martin, I become one of many.

Interjection.

Mr Martin: She's a Liberal.

Mr Wood: She's moving in the right direction.

Mr Martin: In the right direction, yes.

My concern in these appointments—and we've had quite a slew before us over the last few months as these new boards are up and running—is that they not become simply a vehicle to further impose a government agenda on communities that may not in the long run be in their best interests. So my first question for you is, what is your understanding of the role of this committee? Is it a committee that works with government to implement, and I'll use the word "impose," an agenda where early childhood and children's issues are concerned or is it a vehicle to get into the community and find out what's needed, what in the view of the community will be in

their best long-term interest? And how does that interface with other things that the community is doing or sees as necessary?

Ms Martin: The latter. This committee will sit down, audit the resources of the community that they're representing, identify where there are needs, what needs to be enhanced, put together a plan and then make a proposal to the minister as to how to implement the changes that they see are necessary to help provide additional resources to families and so on.

Mr Martin: If you, in your role, discover, as I have over the last couple of years, that many of the initiatives of the present provincial government are driving more families into poverty, and deeper poverty than we've ever seen before, if you find that's the case as you become involved and immersed in this work, would you personally be willing to challenge the government on some of those initiatives as part of this committee?

Ms Martin: Again, I'm one of 10. I'm sure we would be addressing the issue of poverty, definitely, and what we can do to help children within our community. As a group, we will then put together what we feel are the next steps or a plan that will help address the issues that we are concerned with, and poverty I'm sure will be one of them at that time.

Mr Martin: Are you aware of the group called Campaign 2000?

Ms Martin: Yes, I am.

Mr Martin: They have highlighted poverty among children as a key issue to be addressed by all levels of government. In 1989, the federal government passed a resolution unanimously that child poverty would be eradicated by the year 2000. Where in fact we had one in 10 children in poverty in 1989, we now have one in five. Would you agree with those statistics?

Ms Martin: Again, the issue of poverty—no child should be living in poverty. I would hope that through the steering committee we would be able to address ways to help the children within our community and their families so that they're able to develop and move forward. It's definitely an issue that would come to the table and we will discuss as a group as to how to address it.

Mr Martin: The government has been very clear that it believes that taxpayers should have control over more of their money and are the right people to be deciding how to spend it, but when it comes to the poor, they seem to have a different rule of thumb. Everything they've done indicates that they believe the poor don't spend their money wisely, particularly when it comes to spending it on their children, and so have moved to implement more community-oriented programs as opposed to allowing poor families to have more money and to have more control over the spending of that money. What would your view of that be?

Ms Martin: I think a strong community network is crucial. I grew up in an environment in a small town where you could count on support, whether it was the church, the local community hall and so on. So I think

having a strong community and having those resources so that parents or caregivers, when they need to turn to individuals or organizations for assistance, whether it's child rearing—that is incredibly crucial and it's very helpful. In the long term, it helps you to work together as a team and an organization. I think children benefit from that. I know I did. I recall spending time with different groups within my community. That is something you live with and you see that you can turn to others to advise you. The six months I was at home with Ethan, I spent time meeting with other new mothers within our community from all different backgrounds. We were able to share information and help one another from our own experiences. I think that community strength is very important.

Mr Martin: What would the priority be for you, giving families the money they need to feed their children at home or setting up breakfast programs for children whose families don't have the money to feed them at home?

Ms Martin: I think you have to look at the situation. I can't answer that. I'm not in a position to answer that question right now. Obviously I want all children to be fed and in each case it would have to be looked at individually.

Mr Martin: So you wouldn't agree with me that it makes sense, probably looking at your own circumstance—and you've shared it quite readily here this morning; and I know looking at my own—that families should be able to feed their children at home?

Ms Martin: Oh, absolutely, but there are circumstances where that is obviously difficult. So if we can enhance, I would say, helping children with a morning breakfast program, let's try to do that; coordinate something with other partners so we can help those kids for whom, for whatever reasons, the parents aren't able to provide a good meal in the morning.

Mr Martin: And feeding children at home is made most difficult when your income isn't adequate, in my view.

The federal government introduced a program called the national child tax benefit supplement, which was designed to give low-income families on average, say, \$80 a month per child to feed their children at home. The provincial government, in its wisdom, decided that anybody collecting assistance from the provincial government, whether it be Ontario Works, an OSAP loan or the Ontarians with disabilities support program—across the board they would claw back every dollar that any of those families got by way of the supplement. So if the cheque came in the middle of the month from the federal government, it would be missing from the provincial cheque that would go out at the end of the month. Do you think that's fair?

Ms Martin: But was the money not rerouted in an alternative way to—the money was still used, though, somehow. It was sent to the communities, was it not, in another way? It's not that they kept the money for themselves.

Mr Martin: Yes, the municipalities were allowed to keep 20% of the money to set up programs, and they do fund some wonderful programs that help everybody in the community. But, again, it seems a little inconsistent for a government that now is proud of the fact that it has surpluses in terms of money coming in and money going out, that has been promised over \$900 million from the federal government to deliver child-oriented programs and that has announced they're going to give another \$4 billion away in tax breaks, to be taking money away from poor families and using it to support those wonderful programs, instead of taking it from those other sources. It seems to me it would be more logical, in terms of its availability and the moral and ethical issues surrounding it, would you not agree?

1050

Ms Martin: I'm sure the government—policies they put in place are never intended to hurt the children. I just think, as a member of this committee, which is why I'm here, we will, as a group, look at what we feel is the best way to enhance and try to improve the situation for the children within our community. That will be first and foremost on our mind as we identify the resources that are there right now and try to improve the situation.

Mr Martin: I guess what I'm trying to get at is, if you discover, as a member of this committee, that, however well intentioned, a program or initiative of the government is in fact hurting families, would you be willing to say to the government that that's wrong?

Ms Martin: The discussion at the table comes up on a certain issue and I will voice an opinion at that point, absolutely, to the committee. The committee as a group will then plan and we'll work on putting a plan forward to the minister. But as an individual—one of 10—I will always be there ready to honestly react as to what I believe on certain issues.

The Chair: Thank you very much, Ms Martin, for being at the committee this morning.

SULAKHAN (SAM) HUNDAL

Review of intended appointment, selected by the official opposition party: Sulakhan (Sam) Hundal, intended appointee as member, Council of the College of Opticians of Ontario.

The Chair: Our next intended appointee is Sam Hundal. He is an intended appointee as member, Council of the College of Opticians of Ontario. Welcome to the committee, sir. You are welcome to make an initial statement, should you see fit, and then there will be questioning by the members of the committee.

Mr Sam Hundal: Mr Chairman, I feel privileged to come in front of the standing committee and meet the members and share my experiences with them.

I am a resident in Ontario for over 28 years. By profession I'm a real estate broker and I happen to be a non-health professional, a citizen of Ontario, and would like to bring the people of Ontario's concerns, needs and aspirations to the notice of the management so they can

make rational decisions to enhance the quality and access to health care in this area.

My involvement in the community—I will be very brief, Mr Chairman—has been very extensive. I've been a member of Peel Memorial Hospital Foundation for many years and I was involved in various committees. Part of that was to raise funds—a campaign to successfully achieve over \$7 million for the hospital. I was involved in the celebrity jail-and-bail program for the foundation, which was very successful, and part of a team in Brampton to donate an eye laser machine to the local hospital.

After that I happened to be a member of the board of governors of Peel Memorial Hospital and had the privilege to sit on the strategic planning committee, the quality review committee, the community advisory council, the community awareness task force, the funding disparity task force, the public relations committee and the multicultural advisory committee over a few years' time. That gave me experience to meet with people and learn how to get input from the public to make right decisions.

I've been a member and chair of Brampton Community Legal Services. I was the president of a committee which worked for two years to get legal clinic services in the city of Brampton, and I had the privilege to meet people from various segments of society to represent on that committee.

I've been involved with a youth employment centre. Being a member, vice-president and chairman of the board gives me another edge to learn how to make decisions and how to get input from the public.

I was elected to the real estate board of Brampton and had the chance to sit on five or six different committees which run the day-to-day affairs of the board.

Apart from that, I've been locally involved and have been the founder-president of Peel Intercommunity Relations Association to enhance better community understanding and relations in Ontario.

I am also a founder-member of the Brampton Race Relations Action Council, which is a committee of the Corporation of the City of Brampton. Various interest groups are represented on that committee. That enhanced my knowledge of the community concerns.

I was sitting on various boards. I happened to attend various seminars, conferences and think-tanks for board development. For example: Levers for Change in Health Care—it was a think-tank for two days at the Sheraton Gateway Hotel; I was very much involved in that one and I think an elaborate report came; successive governments have given attention to that report—Hospital Restructuring Project; Trustees' Role in Monitoring Quality in their Hospitals; Redesigning Health Care for Today and Tomorrow; Trustees in the Greater Toronto Area; and a couple of board developments where very famous persons came to give information to the board members. One of the very interesting ones was the hospital restructuring, the London-UK experience, and Boards That Make a Difference; a New Design for Leadership in Non-profit and Public Organizations.

The list goes on. I don't want to elaborate, but this gives me experience to bring input from the public to boards' notice to make a good decision suitable to the needs and aspirations of the people in Ontario.

I should say that I'm very proud, and it speaks for itself when you are a recipient of the Governor General's medal in Canada. I should not elaborate, because many of the members know why it is given. I'm the recipient of Ontario's outstanding award. I believe it's given to very restricted people and institutions only. I'm also the recipient of a professional award, out of 42,000 people, by the Toronto Real Estate Board for the year 1992. That's given for professionalism and service to the community. I have been recognized by the city a few times. This gives me another initiative to work for the public in order to enhance quality of life in Ontario.

1100

As far as my education, I did not put it all there. Originally I graduated from India with also a bachelor of teaching degree which I did not indicate. I enhanced my qualifications from University of Leicester in the area of education. I went to University of Windsor and did my master's in world politics and my legal assistant courses. I'm a professional real estate broker, which involves so many courses. That's a little bit of my educational background.

I'm very privileged to have four grown-up children, married, all professionals, one of them in the process to become a barrister in the province of Ontario. I'm a very proud grandparent of five grandchildren. My roots are in this community. I will be very pleased to sit on this committee and work to enhance the quality and access of health care in this direction. I would love to have questions from both sides. I will prefer from both sides. Thank you very much.

The Chair: We will go to the official opposition first this time.

Mr Crozier: Welcome to the committee. What steps led to your order-in-council appointment to the College of Opticians of Ontario?

Mr Hundal: Every day when we attended functions, the people from the public were asking me, "You have experience, you have the will; why don't you sit on one of the health boards?" I applied for that. I sent my resumé to the ministry and got a call from them that will I be interested to sit on this council and I look forward.

Mr Crozier: It was your general interest as opposed to any specific interest in the College of Opticians of Ontario.

Mr Hundal: Sure. I'm not an optician professionally or at all; I'm just a member of the public.

Mr Crozier: In leading up to this, I assume you were notified that you were going to receive an order-in-council appointment.

Mr Hundal: Yes, I got a letter that I should come before the committee, and I feel honoured to meet them before I get any appointment.

Mr Crozier: Did you have the opportunity to familiarize yourself with a recent difference of opinion

between the opticians, the optometrists and doctors in the province.

Mr Hundal: I don't know much in detail. I got some information from the library and from the clips, whatever, but it is very difficult for me to comment as a professional. But there is a concern in the community, as well. For example, the other day, an article came in the newspaper that the laser treatment has not been very successful. Some people lost their eyesight. I was very concerned about that, the quality of this area. If you lose the eyesight forever, the human life, what happens? I was a little bit concerned about that. But I don't know much about the details, how it works, what qualifications and what should be done. I will be doing that with the experience and training to sit with some of these professionals, hopefully.

Mr Crozier: I see you have the need for glasses at some time or another. Do you go to an optician or an optometrist?

Mr Hundal: Yes, I go. One of them, the doctor actually, he was one of the governors with me on the hospital. I learned a little bit of that. My wife went for the eye treatment and then some other family members went, so I have a little bit of knowledge, not much, but a little bit.

Mr Crozier: I just want to be certain. Do you go to an optician or an optometrist?

Mr Hundal: First you go to the doctor. Then you go to the optician.

Mr Crozier: I always deal with the optometrist. I have absolutely no experience with opticians.

Mr Hundal: I'm very concerned. I trust my doctors and I go to them.

Mr Crozier: So your optometrist who conducts the examination doesn't put any undue pressure on you to buy your spectacles, your glasses, from him or her as opposed to going to an optician.

Mr Hundal: It's not, but practically, you know that when everyone has a shop around there, not directly but indirectly, they encourage the individual people to buy from that shop. You know, they are there. But I do not buy from them. I went to shop around where I could get the cheaper, the most economical ones.

Mr Crozier: That's my point, because I have complaints in my office from time to time, not a great deal, where optometrists appear to put undue pressure on their clients to buy from them, as opposed to going to an optician.

Anyway, I just wondered what your experience was. Thank you for coming to the committee. I think Mrs Dombrowsky may have some questions.

Mrs Dombrowsky: Mr Hundal, are you a member of any political party?

Mr Hundal: I'm not a card-holding member of any provincial political party.

Mrs Dombrowsky: Federally, are you?

Mr Hundal: Federally, I stood for member of Parliament with Jean Charest. I stood as a candidate with Jean Charest and I've been involved in the—

Mrs Dombrowsky: For which political party?

Mr Hundal: Pardon?

Mrs Dombrowsky: Can you name the political party?

Mr Hundal: I think you should know Jean Charest was leading the PC Party of Canada at that time, federally.

Mrs Dombrowsky: This is for the public record; I hope you understand.

Mr Hundal: Yes, sure.

Mrs Dombrowsky: I appreciate that you would be able to provide me with that information. You perhaps had the opportunity to review in the material that was provided to you that there has been concern raised by opticians in the province with respect to the membership, that the members at large on the committee have not had an especially good attendance record.

Your resumé is very impressive and you obviously are a very busy man. I was wondering if you might be able to indicate here at this committee the kind of attendance record you intend to establish as a member, knowing that those in the profession are very concerned that some of the members at large have, it would appear, not taken this responsibility very seriously, and some have had an attendance record of less than 25% of the scheduled meetings.

Mr Hundal: I think that the regulations under the health professions procedural code are very clear on how to regulate it: who can practise, who can establish, ethics and who can become a member.

But there is a possibility that some people may take advantage of that, especially some of the corporations. They probably give advertisement. I was in Florida the other day and there was a big sign for eye laser treatment that you can get immediately, no need to wait like that. So there's a possibility that could happen, but I'm sure the guidelines are very clear.

Mrs Dombrowsky: I don't think I've been clear in my question to you. I would like to understand from you, because some members of the committee to which you are intended to be appointed, have not attended regularly. Some of the members of this committee have attended less than 25% of the time. What I'd like to understand from you this morning is, would it be your intention to better that kind of attendance rating?

Mr Hundal: I am a very distinctive professional man because I cannot hide myself, so I try to provide the best services wherever I go. I hope my record on the board of directors in Peel Memorial Hospital and as the chair of the legal clinic was roughly 100%.

So I tended to bring the maximum input from the public to the board as much as I could, to the best of my abilities and capabilities. I have the time because I am self-employed. I have no other effect on my activities at all. I hope I will put 100% input in that direction.

1110

The Chair: We will now move to the third party.

Mr Martin: Thank you very much for coming this morning. I was quite impressed with your resumé and your long involvement in public service.

I was just wondering, from all the things that you could have applied for—and there's a myriad of agencies, boards and commissions that this government oversees—why would you choose this one?

Mr Hundal: This is related to health care. It makes no difference whether I sit on this board, any board of health care, but I think this is a challenge. My daughter is a manager in one of the institutions and she says, "Dad, look at that." This is a very concerning area, the eye laser and eye treatment and so on, and it's a demanding area. More and more, there are some people coming from different parts of the world. They have more problems with their eyes, maybe because of the heat or other environments, and I thought maybe I could contribute better in this field.

Mr Martin: Have you looked at the Regulated Health Professions Act to determine which actual board, which group of professionals dealt in what area of expertise? What does the College of Opticians do, in your view? What do they cover?

Mr Hundal: I think we have very strict guidelines, the role of the College of Opticians and the structure of the council, so I know a little bit of that. If you want to tell me, I can explain it, because I have the point. But I don't have the deep knowledge of that one and how it works. It will be an opportunity to work with more experienced people and learn more: what are the challenges coming every day and what are the needs of the community in the different areas of Ontario? I will be looking into that opportunity to learn more about that. It's very difficult of me to say that this is professional—I believe professionally to make any comments on that one.

But the guidelines are very clear. If you want me to, I can speak to you about what is the role of the college and what is the structure of the council. They are available in the libraries everywhere. Any individual can have that. Tony, you know better. You have the experience of sitting many, many years on this one.

Mr Martin: Do you understand the nature of the disagreement and dialogue between, for example, the opticians and the optometrists?

Mr Hundal: I heard about it, but I don't know any details, because every group would like to have their own decisions independent of the other. This is the law of society every day. But I think the rules and regulations made by the ministry should be obeyed. Then perhaps, with the input from the public, it would be enhanced according to the chosen needs of society. I think they are very clear, and we should be very clear to both groups as a ministry and as a board member.

The Chair: Mr Miller.

Mr Norm Miller (Parry Sound-Muskoka): Thank you, Mr Hundal. I'm certainly very impressed with your record of public service over the past many years. I just want to pick up on the points raised by the opposition parties. From my limited knowledge, there seems to be a debate going on between the optometrists and opticians in terms of what they can do. In fact, in my first month of elected office here, my local optician requested an

appointment with me and had me come into his office to demonstrate what he's doing with the equipment he's using, so I would have a good understanding of what they're doing and a bit of what the conflict is about.

I would certainly suggest that's probably something that would be very worthwhile doing yourself, visiting both an optician and an optometrist, to be fully versed in what the conflict is about and what an optician should be allowed to do. How do you feel about that?

Mr Hundal: I think you've made a fair comment. You spoke for me, and I think we should look into that one so that future conflict doesn't come out. It hurts the whole system.

Before that, I must thank you for the contribution of your family members to the province of Ontario in the past. We look forward to you, as there are great expectations in Ontario from the public about your future activities.

But thanks for the question. I think we should seriously look into that one. The council should get input, perhaps have some conferences or seminars or think-tanks in different areas of Ontario and get first-hand knowledge of concerns of the people and of both groups on how we could work together and follow the rules and regulations of the government, of the ministry, as well.

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you very much, sir. You may step down now; the questioning is completed.

Mr Hundal: Thank you, Mr Chairman. It was my pleasure and honour to meet and share my experiences with the committee members.

The Chair: If I may do so—Mr Wood may be helpful in this regard—Mr Martin is going to have to depart early.

Mr Wood: I am prepared to move concurrence.

The Chair: Yes, we might deal with the concurrences where he's been present so that he can make a judgment.

Mr Wood: That would be fine with me.

The Chair: The first one we will deal with in concurrence was the selection of John C. Thompson, intended appointee as member, Ontario Film Review Board.

Mr Wood: So moved.

The Chair: It has been moved by Mr Wood. Debate or discussion, first of all, of the appointment of John C. Thompson? Any comment by any member of the committee?

Mr Wood: Let's put the question.

The Chair: If not, we'll put the question. All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mrs Martin.

The Chair: OK, Mr Wood has moved concurrence in Margaret Martin, intended appointee as member of the Early Years Steering Committee in the city of Toronto health unit. That motion is there. Any discussion?

Mr Martin: These committees are being set up across the province, given that the government is moving in that direction and is going to use them as a vehicle to deliver all kinds of really important services to children and

families. My growing concern is around the issue of growing poverty. What I detected from her answers was skating around and avoidance. From her long history of involvement with the present political party in power, I don't think she's going to be able to separate that in her participation at the committee level and in some of the decisions that she'll make and, with that, may miss some of the real issues present in the community of Toronto, which has to be, I would think, of great concern to anybody looking at poverty in this province at the moment and its obvious face lying on the streets.

There needs to be very courageous and aggressive action taken by whatever group ends up driving the children's agenda in this city. I, frankly, don't think she's going to be able to separate her relationship with the government from her need to be very courageous and forthcoming and aggressive in addressing some of the issues where families and their lack of resources to feed themselves and their children at home are concerned, as just one example of the things that she's going to have to come up with. So I'll be voting against this appointment.

1120

Mr Crozier: Just a couple of comments as well on Ms Martin: I attempted to clarify her partial comment initially with regard to immigrants. I still have some doubt as to the following answer I got, because I got the impression that there was a suggestion that the unmet need for subsidized daycare spaces in Toronto might have something to do with immigrants. I don't feel that I got that clarified by a definite "No, it does not."

The other thing was, although certainly she is being appointed for the Toronto health unit, she said that Toronto was unique in the province. Well, there's a need for daycare spaces in my riding and, I think, across this province. I just wanted to put that on the record. Toronto does have some unique situations, but to some degree, the same pattern is across the province and the same need is across the province.

Mr Frank Mazzilli (London-Fanshawe): I certainly want to speak on Margaret Martin coming before this committee, because I think she was open, forthright, and for a volunteer position—I mean, some of the things that we put people through. With all due respect, Mr Martin talked about she probably wouldn't bring the right insight to this or that. I'm of a view that you don't have to belong to the NDP to care. As Progressive Conservatives, we care, and supporters and so on are in the community, applying for volunteer positions. This is not just a position of finding someone who cares or finding someone who has the time to commit; she obviously is doing that in the community already.

Volunteer positions, as many people know, are not always the easiest positions to fill with good, qualified people who have the time commitment. I would just like to put that on the record. As the previous person said, I think she would contribute to this think-tank, if you will, sir.

The Chair: Any other member of the committee have anything to add? If not, I'm going to call the vote.

All in favour? Opposed? The motion is carried.

The third one we're dealing with, the intended appointee as member, Council of the College of Opticians of Ontario, Sam Hundal.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion, first of all, of Mr Hundal? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

Thank you. We have dealt with three of our intended appointees this morning. Mr Martin is going to have to depart. He's going to have a replacement come in. Normally I would be starting with the NDP; I'll start with the Conservatives, if that's OK, this time as we come round.

DEAN ALLISON

Review of intended appointment, selected by official opposition party: Dean Allison, intended appointee as member, Ontario Trillium Foundation board of directors.

The Chair: Our next intended appointee is Mr Dean Allison, intended appointee as member, Ontario Trillium Foundation board of directors. There is a member of the NDP, so I will start with the NDP in a moment.

Mr Allison, you may come forward. Welcome to the committee. You have an opportunity to make an initial statement, should you see fit. Should you not see fit, that's fine as well. Subsequent to that, members of each of the political parties represented on the committee will have up to 10 minutes to direct questions to you, sir.

Mr Dean Allison: Thank you. I just want to tell you it's an honour to be here today. It's the first time I've been to Queen's Park. I looked forward to coming here today, to actually be in the Legislature.

Just a bit about me: I grew up in London, Ontario. I did my schooling in Kitchener at Wilfrid Laurier, Waterloo, and then moved to Oakville for about 10 years. Most recently, I've just moved down to the Niagara Peninsula, where I'm now residing in the town of Beamsville. I have three wonderful kids, six, seven and eight. My eight-year-old will be turning nine next week, so we're really looking forward to moving down to Niagara to do that.

As you may have seen in my resumé, I've been involved with business for some time. Over the last five or six years, I've had the opportunity to own my own business. We have been looking for an opportunity to get more involved with the community and saw this as one possible way to do that. I want to thank you once again for the opportunity to be here.

The Chair: Thank you very much, sir. We will commence now. We have a member of the New Democratic Party replacing Mr Martin. So the first person will be Mr Kormos for the third party.

Mr Peter Kormos (Niagara Centre): Thanks for coming today. What's your history of involvement in the voluntary sector?

Mr Allison: I've been involved with the Lincoln Chamber of Commerce. I've been involved with Canada's Waiting Children program, which deals with adoption.

Mr Kormos: Sorry, I don't know that program.

Mr Allison: Actually, it's a program that was set up by Wendy's to work on adoptions here in Ontario and in Canada. It's an advisory council that works in co-operation with the Adoption Council of Canada, in terms of trying to place children.

Mr Kormos: What's your work with them?

Mr Allison: I sit in an advisory board role.

Mr Kormos: Other involvement in the voluntary sector?

Mr Allison: Besides the Lincoln Chamber of Commerce, I've had some involvement with Junior Achievement in Niagara as a board member.

Mr Kormos: What about your voluntary involvement in the human services area?

Mr Allison: Human services being what specifically?

Mr Kormos: A broad range of direct services: Meals on Wheels, delivering food to senior citizens; down at the camp on Lake Erie, working with disabled kids; that type of volunteer work in the human services area.

Mr Allison: Recently I haven't been involved with that.

Mr Kormos: Most people don't know about the Trillium Foundation; they really don't. How did you identify the Trillium Foundation as something that you wanted to get involved in?

Mr Allison: Sitting on the Lincoln Chamber of Commerce, through the chamber I was invited to a meeting to discuss the Trillium, to find out more about it. That was the first time I'd ever—

Mr Kormos: What was that meeting?

Mr Allison: That meeting was in Beamsville.

Mr Kormos: What was the meeting? Who sponsored that meeting?

Mr Allison: It wasn't sponsored by anybody. There was a local representative talking, one of the local people, I don't believe they're on the committee, but someone just discussing the Trillium and what they are all about.

Mr Kormos: So this was a group of people that was being addressed.

Mr Allison: Yes.

Mr Kormos: Who was conducting that?

Mr Allison: I believe Manfred Fast was conducting it.

Mr Kormos: How did you find your route to here?

Mr Allison: In looking at being more involved, as I said—I just moved into Beamsville about three months ago and would like to be more actively involved in the community. After seeing the Trillium Foundation and what they did, I thought this would be an excellent thing to be involved with.

Mr Kormos: You've lived in Beamsville for three months, and prior to that you lived—

Mr Allison: I lived in Oakville but had a business in Beamsville for the last nine years.

Mr Kormos: And you were the Alliance candidate down there?

Mr Allison: That's correct.

Mr Kormos: Was it the Erie-Lincoln riding?

Mr Allison: I believe that's it.

Mr Kormos: Is your MPP supportive of your application?

Mr Allison: I would assume he is.

Mr Kormos: Would he know about it?

Mr Allison: I would assume he does.

Mr Kormos: Why would you assume that?

Mr Allison: I have not talked to him about it, so I would assume that was the case.

Mr Kormos: That's why I'm wondering. Mr Hudak is a minister and he's very busy. Do we have any assurance that he would be supportive of your appointment?

Mr Allison: I think you'd have to ask him.

Mr Kormos: Exactly. That's why I wanted to know if you had any idea.

Mr Allison: I would assume he would be supportive, sure.

Mr Kormos: My concern is that you're aware of the requirements for Trillium board members, the proposed requirements, aren't you?

Mr Allison: Not of all of them, no.

Mr Kormos: Are you aware of any of them?

Mr Allison: I'm aware of some of them.

Mr Kormos: What are the ones you're aware of?

Mr Allison: You must be willing to volunteer your time.

Mr Kormos: Any others?

Mr Allison: In particular, what?

Mr Kormos: Surely you were explained the expected requirements of a Trillium board member, weren't you?

Mr Allison: Of the amount of meetings involved?

Mr Kormos: No, that a Trillium board member must ordinarily have a history of involvement in the voluntary sector, preferably in the human services area. Nobody explained that to you?

Mr Allison: Not in particular, no.

Mr Kormos: What experience have you had in consensus building?

Mr Allison: A fair amount, actually, through other organizations. I sit as the president of the Ontario marketing co-op of Wendy's.

Mr Kormos: I'm talking about consensus.

Mr Allison: I have to build consensus on ideas and suggestions through that.

1130

Mr Kormos: Do you subscribe to any particular theories of consensus?

Mr Allison: Not in particular.

Mr Kormos: Are you familiar with any of the written work on consensus building.

Mr Allison: No.

Mr Kormos: I don't doubt that you have a working knowledge of financial statements, because you're in business. If there were other people applying for this

same position who had better qualifications, would you expect them to be appointed before you?

Mr Allison: I guess that would depend on what you determine is better qualifications.

Mr Kormos: Somebody who, for instance, had a more extensive history of involvement in the voluntary sector, preferably in the human services area.

Mr Allison: That just depends on what you're looking for. I feel that my business background plus my involvement in the community is good to be involved in any kind of community service organization.

Mr Kormos: But you've only been living in Niagara for three months.

Mr Allison: But I've worked there for nine years.

Mr Kormos: I understand that. And then you go back home to Oakville.

Mr Allison: Where do you live?

Mr Kormos: You go back home to Oakville.

Mr Allison: I don't live in Oakville any more.

Mr Kormos: Until three months ago, you went back home to Oakville, right? You haven't been involved in any direct volunteer services—Boy Scouts, Big Brothers, perhaps?

Mr Allison: No.

Mr Kormos: No Meals on Wheels. But you've been on boards. I trust that since you were a candidate for the Alliance—was it the Canadian Alliance Party?

Mr Allison: That's correct.

Mr Kormos: It was the Canadian Alliance Party; it wasn't the Reform Party any more—that you have strong political views.

Mr Allison: On what in particular?

Mr Kormos: I have strong political views. That's why I'm clearly a New Democrat and why I'm involved politically. I trust you have strong political views.

Mr Allison: I have views just like everybody does.

Mr Kormos: Do you have strong political views?

Mr Allison: In regard to what?

Mr Kormos: I suppose anything from the death penalty to rates of taxation to any of the other things that people have political views about.

Mr Allison: At this time I don't see what that has to do with the Trillium Foundation.

Mr Kormos: I'm sure you don't, but I'll tell you why. Do you know any of the other members of the board in Niagara?

Mr Allison: I'm not familiar with all the members, who they are.

Mr Kormos: Do you know any of the other members of the board?

Mr Allison: Not that I'm aware of right now. Who else is from Niagara?

Mr Kormos: You don't know who's on the board?

Mr Allison: I know the names but I don't necessarily know the people.

Mr Kormos: Do you know a Mr Johnson?

Mr Allison: No, I don't.

Mr Kormos: You don't know Mr Johnson—

Mr Allison: No.

Mr Kormos:—the former Alliance activist in Niagara?

Mr Allison: No, I don't know him at all.

Mr Kormos: Don't know him at all.

Mr Allison: No.

Mr Kormos: You don't know any of the other board members?

Mr Allison: Who are the other board members?

Mr Kormos: I don't know who they are either. I want to know if you know.

Mr Allison: No.

Mr Kormos: You don't know any board members. You haven't called any board members to inquire about the sorts of responsibilities that they've had to engage in?

Mr Allison: No.

Mr Kormos: You knew you were coming here to be screened by this committee, didn't you?

Mr Allison: Yes.

Mr Kormos: Other than the meeting you attended with Mr Fast, did you do any other research?

Mr Allison: I have seen some things on-line and some of the criteria that's required, yes, for the foundation.

Mr Kormos: What I'm interested in is the amount of preparation you did because I'm concerned that people get appointed to things when they have no idea about what the foundation does. Do you know the source of Trillium Foundation's funding?

Mr Allison: Yes, I do.

Mr Kormos: Tell us about that.

Mr Allison: I believe in part it comes from gaming.

Mr Kormos: Yes, it partly comes there, and the balance?

Mr Allison: I was under the impression most of it came from gaming.

Mr Kormos: OK, mostly from gaming now, and the balance?

Mr Allison: Am I to be concerned where the funding comes from or am I concerned of how it is supposed to be—

Mr Kormos: You bet your boots. I'm asking you if you know where the funding comes from.

Mr Allison: Not all of it.

Mr Kormos: Do you know some of the beneficiaries of the grants over the course of the last 12 or 24 months in Niagara?

Mr Allison: Not specifically.

Mr Kormos: What about generally?

Mr Allison: Generally, I know of some.

Mr Kormos: Which ones do you know about?

Mr Allison: I just went over the list quickly. I couldn't say specifically.

Mr Kormos: Can you identify one single beneficiary of a Trillium grant in Niagara?

Mr Allison: No, not specifically.

Mr Kormos: Do you know who the Robert Wood Singers are? Have you heard of them?

Mr Allison: No.

Mr Kormos: You've never heard of them?

Mr Allison: No.

Mr Kormos: They're an institution in Niagara. They've been there for—how many years?—30 years now. They just received a significant grant from the Trillium Foundation. They've been an integral part of the community. They're a choral group. Are you familiar with the Port Colborne Operatic Society?

Mr Allison: No, I'm not.

Mr Kormos: Are you familiar with Bellerophon?

Mr Allison: No.

Mr Kormos: Do you know what Bellerophon is?

Mr Allison: No.

Mr Kormos: I'm through, Chair.

The Chair: You've completed your questioning? Thank you very much.

Mr Mazzilli: Thank you, sir, very much for coming today. Let me just clarify a few things for the record. The position that you've certainly applied for is a volunteer position on the Ontario Trillium Foundation board of directors, the province-wide body.

Mr Allison: That's correct.

Mr Mazzilli: That shouldn't be confused with local grant review teams that look at the local perspective of getting local input of what should be funded and ensuring that it meets the criteria. You'll get different views, but I don't think it is a bad thing that you don't know who has benefited in the past. It brings a new perspective and it doesn't bring any biases to the table. I just want to ask you, as a volunteer, what is your driving motivation to be on this board?

Mr Allison: I think that one of the things that's important is putting back into the community. I do put back into the community through my businesses, and personally, financially. As I looked at what Trillium does, I was very impressed that they step up alongside of other charitable organizations that are already doing things in the community and they support and add to what they're already involved with. That to me made a whole lot of sense. I give financially through my businesses, but I felt it was important to also spend some time in the community and be able to give back that way. I think what the Trillium is doing is excellent. That's one of the reasons why I like what they do.

Mr Mazzilli: Certainly that's exactly what Trillium does. Many local projects are supported through Trillium through a \$100-million fund that is set up through the province of Ontario from proceeds of the Ontario Lottery Corp that are distributed into communities and into different regions. Some of these Trillium grants are partnered with HRDC grants, with private contributions. At some point you get a community project that moves along that otherwise would not have without all three of those partners. I certainly heard a lot of "which political party" and views. More and more I get this from the NDP, that you need to belong to the NDP to somehow care about social issues or care about your community. I, for one, do not buy into that concept. Will you care about your region and the Ontario Trillium Foundation if you're appointed to this board?

Mr Allison: Most definitely.

Mr Mazzilli: Those are all my questions.

Mr Johnson: I had a couple I wanted to ask Mr Allison. What's a Tim-Wen combo?

Mr Allison: A Tim-Wen combo is where there's a Tim Hortons and a Wendy's that share the same real estate.

Mr Johnson: Is there a corporate relationship between those two companies?

Mr Allison: Tim Hortons was sold to Wendy's a few years ago, but they're operated separately.

Mr Johnson: I'm going to tell you that I'm disappointed, because I thought you'd come in here with some doughnuts. I would have been more impressed if you had passed those around before I had to vote.

Mr Allison: I was going to see if you guys were going to be nice to me first, though.

Interjection.

1140

Mr Johnson: I shouldn't and I won't ask you how you liked being cross-examined by Mr Kormos. But I did want to know a little bit about you. You said you had three children. Are you a good father?

Mr Allison: I believe so.

Mr Johnson: You don't beat your wife?

Mr Allison: No.

Mr Johnson: You spend time with your children and your family?

Mr Allison: As much as I can.

Mr Johnson: Your business requirements for your business company would require at least 40 hours a week?

Mr Allison: Not always, but just depending, sure.

Mr Johnson: Sixty or 80 sometimes?

Mr Allison: Sometimes less.

Mr Johnson: My point is that I could very well look at your resumé and say, "My gosh, you should have been on the Boy Scouts committee of your local church and you should have been helping to deliver Meals on Wheels," and there are all sorts of things, but I would like to say that from my perspective you've organized your life in a way to be, in my opinion, successful in business, you're doing your best to raise your family, and I wanted to commend you on those qualifications that I see in your resumé.

The Chair: Thank you very much, Mr Johnson. I can't ever recall a question in the committee, "Do you beat your wife?" I can't ever recall that.

Interjection.

The Chair: That's good. I just say that in fun. That's a reasonable question, but I cannot recall it.

Anyway, we go to the Liberals now.

Mr Crozier: Good morning and welcome to the committee. You're aware of the gross amount of money that the Ontario Trillium Foundation has to disburse each year?

Mr Allison: That's correct. I was aware that it was around \$100 million.

Mr Crozier: Yes, and that the board of directors that you're being appointed to, then, will be responsible for administering and distributing 20%—

Mr Allison: Twenty million dollars, yes.

Mr Crozier: When this concept was first introduced a few years ago, it was \$100 million. Do you have any comment, since gaming revenues increase substantially each year, on whether that amount of money should increase?

Mr Allison: I believe that in my capacity as a board member, if I am so chosen, that's not an area for me to decide. I believe that's for the elected officials to decide how much money is spent.

Mr Crozier: But if you have an interest in your community and what the board does—and you may not have been particularly aware of what the responsibilities of the board were before—how would you know that this wouldn't be part of your job now to advocate for more money?

Mr Allison: I guess until I'm actually in the job and see what it entails, I don't know enough about the day-to-day responsibilities.

Mr Crozier: Notwithstanding that it may not be a responsibility of the board, would you advocate that the government provide the same share of gaming revenue as it did in the first place when they set it at \$100 million?

Mr Allison: I couldn't comment on that until I have a chance to see and learn more about the day-to-day operation of the Trillium Foundation.

Mr Crozier: That's a very political answer. That's good.

When you were a candidate for the Alliance Party, the Review, the Niagara Falls newspaper, on October 24, 2000, reported that you were at a meeting where you wanted to—this will remind you what meeting you were at: "Let's go out and kick some Liberal butt." That's what you said at this meeting, so that might remind you. Nothing wrong with that, either. That's the way you feel. But at that meeting, Tim Hudak is reported to have "made"—some—"jokes about the Prime Minister, then criticized the federal government for the way it operates its justice system, citing"—some—"photos that appeared in ..."—a newspaper—"showing Karla Homolka partying in prison." Hudak said, "When you see that kind of picture with today's ... candidate,"—referring to the Liberal—"you know it's time for a change." Did you agree with Mr Hudak, with the statement that he made?

Mr Allison: Agree on what, that there was a time for change?

Mr Crozier: No, that it was time for a change and his reference to the Karla Homolka situation.

Mr Allison: I'm not sure what that has to do with the Trillium Foundation. If you could maybe give some context as to how that affects the foundation.

Mr Crozier: With all due respect, sir, generally at this committee we ask the questions.

Mr Allison: Sorry, I haven't been to one of these before.

Mr Mazzilli: On a point of order, Mr Chair: Mr Allison should know that he doesn't have to answer the question either. It's certainly up to Mr Crozier to ask the most difficult questions, but if Mr Allison doesn't feel it has anything to do with the Trillium Foundation, he can decline to answer the question, and he should know that.

The Crozier: Thank you for that clarification, Mr Mazzilli.

Mr Allison: I have no comment.

Mr Crozier: Good. Then I have no further questions.

Mrs Dombrowsky: Mr Allison, I don't know if you've had an opportunity to review the history of the Trillium Foundation, but initially it was established and intended to be seen as a non-partisan agency. However, I'm sure you can appreciate that when individuals with very public political backgrounds are appointed, there is a growing perception that the foundation is less and less non-partisan and that the decisions made by the foundation might reflect more the political temperament of the individuals who make up that body.

Do you have any thought on this? Do you have any sense that there is a sense or understanding out there that people who support this government are appointed and that the government has an opportunity to have some impact or influence with individuals who are on the foundation?

Mr Allison: Obviously I haven't been involved with the foundation to know what the ties are in terms of that. I understand that as board members of the foundation we need to look at each case on a case-by-case basis to determine what awards deserve funds based on the involvement of the charities in the communities.

Mrs Dombrowsky: It's just a perception that has come to me from people I have spoken with, not only in my riding but from other parts of the province. There's a perception that it is now a very partisan body, and so some people feel less inclined to even apply for funding, particularly if they're from a riding where their member is not a member of the government. I find that quite regrettable personally.

Mr Allison: I was under the impression, actually, that applications for funding were somewhere in the neighbourhood of three or four to one in available grants that can go out. So it doesn't seem to me that that slowed down the process of people applying for grants, according to that comment.

Mrs Dombrowsky: I appreciate the numbers, but I think it would be interesting to do a study on the locations.

My colleague has another question.

Mr Crozier: Yes, and also a clarification for Mr Mazzilli's and others' benefit. In retrospect, I should have commented on it right away, but I thought my line of questioning was just as relevant as asking you if you beat your wife. You chose to answer that, so I thought you might answer some other questions.

Are you still a political activist? Are you still actively involved in the political process?

Mr Allison: From what point of view?

Mr Crozier: You still don't understand, sir: I'm asking you the question.

Mr Allison: I'm not doing anything presently.

The Crozier: So you're not a political activist?

Mr Allison: That's correct.

The Crozier: The point being that, in my view, the Trillium Foundation and appointments to it should be as non-partisan as we can possibly make them, and I just want to be sure that was the case with your appointment.

1150

Mrs Dombrowsky: You are familiar with some of the areas where funds are directed from the foundation. As an individual, do you have particular priorities in terms of agencies that you think would be most worthy of receiving grants from the Trillium Foundation?

Mr Allison: I have to say at this time that I have no priorities in terms of who should be receiving funding. I don't know the total history of who has received funds in the past, so I couldn't comment on that in case someone has already received funds. The second thing is, I would have to look, in conjunction with the board, on a case-by-case basis to see.

Mrs Dombrowsky: But you would have no personal priority to consider agencies that provide services for children over some recreational applications or agencies that provide services for seniors or the disabled as opposed to some other applications that might arrive?

Mr Allison: No. I realize there are four areas where they give out funds. But until I find out exactly how those have been distributed and what the requirements are, I couldn't comment on any kind of priority.

The Chair: Any further Liberal questions? The Liberals have one minute left.

Mr Crozier: I'll defer my time. The member might want to ask a question.

The Chair: Does anybody else want to ask a question? Is that allowed, Mr Wood?

Mr Kormos: I was curious about your response to Mr Crozier.

The Chair: Mr Wood has stated that it would require the consent of the three parties for any further—

Mr Wood: If you want to ask a question, then—

The Chair: Thank you very much, Mr Wood.

Mr Kormos: I was curious about your response to Mr Crozier. I'm a New Democrat. You've got people here who belong to political parties. I have no quarrel with the fact that you're an Alliance member or not. That is your right. But I think it's a fair question.

If people were to ask me today or even tomorrow, "Kormos, are you still a political activist?" I'd say, "Well, of course I am." It would be naive to think I wasn't. Again, I'm not asking whether or not you anticipate being a candidate, but I do think Mr Crozier's question was quite fair in that your response suggests to me—and correct me if I'm wrong—that your alliance with the Alliance is as it was, for instance, when you were a candidate. Is that a fair—

Mr Allison: Could you clarify the question?

Mr Kormos: I don't know how much clearer—you're still a member of the party; you're still an enthusiastic partisan?

Mr Allison: I'm still a member of the party.

Mr Kormos: And you're still an enthusiastic partisan?

Mr Allison: An enthusiastic partisan? From what point of view?

Mr Kormos: Your support for Stockwell Day or Deborah Grey—I guess you could pick any number of players. You are still very much the political animal you were when you ran for the Alliance party. Is that a fair—

Mr Allison: No, actually that's not correct. While I was running, I worked night and day. I don't do that.

Mr Kormos: Of course not.

The Chair: The Liberal time that you had with the consent of the three parties has expired.

Thank you very much, Mr Allison. You may step down.

We will now consider the appointments, and the last one is for Dean Allison, intended appointee as member, Ontario Trillium Foundation board of directors.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? Mr Kormos.

Mr Kormos: As you know, I'm not a member of the committee, but I'm here as of right. Mr Martin will not be voting or returning to vote in support of this.

Let me put this: I have no qualms about Mr Allison's integrity, his representation of himself by way of his CV or even, quite frankly, his eagerness to be on the provincial board. But it has been a disturbing habit, (1) when I sat on this committee and (2) as I view it vicariously or observe it vicariously, to see people come before this committee expecting to be appointed, in this case, to a provincial board—and again, there's no remuneration; it's merely expenses paid. One has to have some sympathy for people who want to volunteer their time. But if one has done no research into the task to be expected of him or into the function of the board, that's surely got to leave the members of this committee shaking their heads as to what's going on, especially from an experienced businessperson like Mr Allison, who employs people. I'm sure if he were asked for advice at a job fair for young people, he'd tell them that one of the first things you do before you apply for a job with a company is educate yourself about the company. That's pro forma stuff; that's pretty basic.

For Mr Allison to come before this committee and indicate that he attended a meeting with the local staff person of the Niagara Trillium operation, to not be aware of what the expectations were of members of the board of directors—and the reference points I made were the expectations of a board of directors, as published by the board of the Trillium Foundation to assist in obtaining or enlisting new members. I find it remarkable that Mr Allison wants to establish his roots as being in Niagara, although he concedes he lived in Oakville until three months ago, and yet he isn't familiar, notwithstanding

having run his business there, with what I consider some pretty notorious public foundations which have been Trillium beneficiaries, like Bellerophon, the navy cadets, notorious across Niagara region, not for any bad reasons but for all the good reasons. The Port Colborne Operatic Society, again, a beneficiary of Trillium funds. Most recently, the Robert Wood Singers—who from Niagara doesn't know about the Robert Wood Singers? Not that Mr Allison should be expected to, because he's not from Niagara.

I'm concerned about the mixed messages here. One, he wants to say, "I'm Niagara. I'm Niagara's best."

Interjection.

Mr Kormos: I understand that. I'm reaching the issue of candour, OK? The impression, though, is that here's a man who is very Niagara-involved. The fact is, the board of directors has to constitute regional representation. It's only reasonable that one of the considerations in selecting a board member should be the regional representation of that member.

As to political affiliation, everybody in this room, short of the civil service—they of course don't having feelings about politics; they have no opinions about this government; they have no opinions about its policies; they have no opinions about the terminations of various assembly staff here at Queen's Park, because they're civil servants. The elected people here have very strong political views, and I'm well aware that politicians move on to any number of jobs that are non-partisan, apolitical. The politicians who do that, I suggest to you, should properly park their politics and be very cautious about their politics upon doing that. Obviously, when there are appointments to the judiciary and so on, that's not only expected but demanded. But I also expect it of other partisans who move on to public service.

I find it remarkable that once again there's a candidate for a position who hasn't done any fundamental research into the operation of which he wants to be a member of the board of directors. One of the first criteria suggested by the board itself for membership on the board is an active history of involvement in the voluntary sector, preferably in the human services area. Again, I have no doubt that Mr Allison has been a volunteer on the chamber of commerce board, on the young entrepreneurs' organization board and the Canada's Waiting Children program advisory board and past board member for Junior Achievement in Niagara. One of the first criteria referred to hasn't been met. Again, no quarrel. He is a busy person. I have no qualms about it. If he's so busy, then he couldn't have engaged in that human services volunteer work. Perhaps he's too busy to be a volunteer on the board of directors.

I find it remarkable that an intelligent, educated person would come here not prepared for the committee process, betraying so little familiarity with the organization to which he wants to be appointed a board member.

I also, quite candidly, wasn't aware of the meeting Mr Crozier referred to and what appears to be a partisan relationship with Tim Hudak. Again, I have no quarrel

with any of that, but people should be candid. The unfortunate Americanization of the refusal to answer, the Americanization of style by persons appearing before this board—there is a power to compel people to answer, but it's far too complex for the committee to engage in with each and every person. I am prepared to draw inferences from Mr Allison's refusal to answer. I quite frankly think there are better suited people for the board of directors.

I invite Mr Allison to apply once again and, next time he appears before this committee, to demonstrate some of the acumen he says he has by preparing and familiarizing himself, as even a teenager applying for a job at a burger joint would. There isn't a teenager in town who doesn't know by now that you familiarize yourself with the operation. You show some familiarity with what it is you're applying for a job with before you go to submit to the interview. Mr Allison gets an A+ for enthusiasm, an F for preparation.

The Chair: Any other discussion? Mr Crozier.

Mr Crozier: I appreciate some of the points Mr Kormos has brought up, and I want to say that it may appear, and it may be the case, that sometimes at this committee we ask some very pointed questions. Some might even think we give some intended appointees a hard time, and that may be the case. We only get 10 minutes to review any particular nominee, and we know a limited amount about that person.

I happen to think that the appointments we're making, be they volunteer or paid—no matter what the situation of the appointment—are important. That's why I think in most cases, although we may have let a minute go by this morning, we take the time to ask the candidates questions.

On the other hand, most of the time—and it's their choice—the government chooses not to ask any questions. I don't know whether or not they know the appointees better than we do; I don't know whether or not the government members consider this an important process. Only they can answer that. But I consider this committee an important one.

In addition to that, we only get a chance to interview and ask questions of a minor number of appointees. Of all the appointments that go on, we get lists where there are 30 or 40 appointees and we get a chance to pick three or four. Some are chosen for a particular reason. Perhaps some are even chosen at random; I'm not sure. But I take the responsibility on this committee seriously. If, from time to time—and I'm not being apologetic; I may just be stating the obvious—we seem to take a particularly tough attitude, it's because we consider all appointments, be they volunteer or paid, as important to the citizens of Ontario.

The Chair: Any other comments or discussion? If not, I will put the vote to members of the committee.

Mr Kormos: A recorded vote, please.

The Chair: A recorded vote has been requested.

Mr Wood: Does he have the jurisdiction?

The Chair: Mr Kormos cannot request a recorded vote.

Mrs Dombrowsky: I do.

The Chair: Mrs Dombrowsky has requested a recorded vote.

Mr Johnson: I request a recorded vote too.

The Chair: Mr Johnson has requested a recorded vote, so we have multi-partisan support for a recorded vote on this.

Ayes

Johnson, Mazzilli, Miller, Wood

Nays

Crozier, Dombrowsky

The Chair: The motion is carried.

Any other business before the committee?

Mr Wood: I move adjournment of the committee.

The Chair: All in favour? Opposed? Motion carried.

The committee adjourned at 1204.

CONTENTS

Wednesday 20 June 2001

Subcommittee report	A-101
Intended appointments	A-101
Mr John Thompson	A-101
Ms Margaret Martin	A-104
Mr Sulakhan (Sam) Hundal	A-108
Mr Dean Allison	A-112

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Norm Miller (Parry Sound-Muskoka PC)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / -Centre ND)

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services



A-9

A-9

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 27 June 2001

Journal des débats (Hansard)

Mercredi 27 juin 2001

**Standing committee on
government agencies**

Subcommittee report

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapport du sous-comité

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

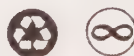
Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday, 27 June 2001

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Vice-Chair (Mr Bruce Crozier): We will call the committee to order. At the outset, we will handle a little bit of business with regard to the report of the subcommittee of Thursday, June 21.

Mr Bob Wood (London West): Mr Chair, I move its adoption.

The Vice-Chair: Discussion? All those in favour? Carried.

INTENDED APPOINTMENTS
ROGER CURRIE

Review of intended appointment, selected by third party: Roger Currie, intended appointee as member, Ontario Film Review Board.

The Vice-Chair: We will begin with our intended appointees this morning, the first one being Mr Roger Currie, who is an intended appointee as a member of the Ontario Film Review Board. Good morning, Mr Currie. Just in case you weren't aware, you are certainly free to make some remarks to the committee. The time that you take will be dutifully deducted from the government's time, and then we have about 10 minutes with each of the parties for a little discussion. Please make yourself comfortable and continue, Mr Currie.

Mr Roger Currie: Thank you, Mr Chairman and members of the committee, for allowing me to appear this morning. I'm hoping to be appointed to the Ontario Film Review Board and would consider it an honour and a privilege to serve the province in this capacity.

I've only been a permanent resident of Ontario since May 2000, but my family has owned summer property on Lake of the Woods for more than 70 years. When the opportunity came for my wife and I to consider a different lifestyle, we jumped at the chance to become year-rounders. I work part-time at radio station CJRL in Kenora and both of us do considerable freelance writing from home.

In the short time, we have become quite involved in the community. I've joined the Kenora Rotary Club and have undertaken a significant fundraising project for the Lake of the Woods District Hospital. We're truly proud to be residents of northwestern Ontario.

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 27 juin 2001

The film review board is an agency I feel particularly well suited to serve. Film has been a major interest of mine since childhood. While studying at the University of Manitoba, I served as producer of a 45-minute dramatic film which ended up winning a couple of Canadian film awards and I was personally responsible for getting the film sold to network television. At the same time, I started a very successful film society on campus at the University of Manitoba.

After university, I spent a year in the movie theatre business working as an assistant manager with both Famous Players and the Odeon chain, now Cineplex, in Winnipeg.

In 1970, I began what has been a very rewarding 31-year career now in the world of radio, working mostly as a journalist and latterly a program host. Whenever possible over the years I've specialized in reporting on the entertainment industry. In the 1980s I hosted a syndicated program called Show Business People and regularly attended the Toronto film festival and other events such as that during those years.

The issue of censorship and film classification has been front and centre at times. In the early 1970s, I covered Manitoba's move to do away with censorship in favour of classification, and in 1973 I covered the prosecution and trial of the movie *Last Tango in Paris* on charges of obscenity. While I've never served on a film classification board before, I did sit on two appeal panels in Manitoba in the early 1990s.

I applaud governments for moving away from censorship in recent years, but I fully appreciate the need of consumers, especially parents, for the best possible guidance on the content of films and videos.

As a journalist who's tried to be responsive to the concerns of the community, I think I've developed a reasonably good sense of what constitutes community standards. At the same time, I think I have a good appreciation of the trends in the industry and the views from the artistic community's point of view. I'm confident that I can be a fair and knowledgeable arbiter on these matters. Thank you.

The Vice-Chair: Thank you, Mr Currie. We'll begin our round of discussion with Mr Martin from the third party.

Mr Tony Martin (Sault Ste Marie): You certainly have an impressive resumé of involvement in media, and I suppose, if you get this appointment, that will serve you

well in terms of background. However, my concern in all of this—and you mentioned it in your opening—is your understanding of community standards. What would it be?

Mr Currie: I think it varies somewhat from place to place. What would be acceptable in Toronto might not be quite as acceptable in a place like Kenora, but I think it's kind of a moving thing as well. In terms of trying to keep a gauge of it, I would certainly, in all of northwestern Ontario, try and make it known that I'm on the board and am interested in hearing from people as to what they feel about what is out there and whether it's acceptable or not.

1010

Mr Martin: So what would you recommend in terms of the board itself staying in touch, given, as you've mentioned in your answer, that there may be varying levels of what would be considered community standards depending on where you're living in Ontario? What would your recommendation be as a member of the board to make sure that the board stayed in touch with what the community saw as either acceptable or unacceptable?

Mr Currie: They do some interactivity now in terms of their Web site and that sort of thing. That could be promoted a little more, expanded. In my own situation, I do a fair amount of freelance writing, a lot of it on-line, and I have a Web site where that is featured. I would make this position a part of that, and also anybody else who happened to be on the board from that part of the province; I could sort of include them in that as well. Individually we could probably do more in that regard.

Mr Martin: How do you think your particular background, having done a study on, for example, *Last Tango in Paris* and also your involvement with some of the major movie chains, will influence your ability to participate and make decisions?

Mr Currie: I don't think it will influence it. It gives me a good sense of the history of the issues and where we've come from, where we're going, I suppose, again relating back to community standards, that sort of thing. I certainly wouldn't put myself up as any kind of industry person or anything like that.

Mr Martin: The board itself announced an overhaul of the system to assist them, such that—as it is now, you have various categories that people look at when they're considering whether to go to a movie or not, AA or PG or whatever—it would be more specific, where you would have 14A, which would mean that children under the age of 14 would have to be accompanied by an adult, and then an 18A. Are you aware of that initiative?

Mr Currie: Yes, I am.

Mr Martin: What's your feeling about it?

Mr Currie: I think it's an important move. Again, it's something that you can't sort of stay fixed at forever. Maybe a couple of years down the road you might look at a further split in the classification. But I think for now it sounds like a reasonable move.

Mr Martin: How did you hear about, living way up in Kenora, the availability of an appointment to this board?

Mr Currie: It's something that I've had an interest in for quite some time. When I lived in Winnipeg I expressed interest in the classification board there a couple of times. Nothing really came of it. But when we moved to Ontario I thought I would find out about it here as well.

Mr Martin: Do you have any affiliation with any political party?

Mr Currie: None at all.

Mr Peter Kormos (Niagara Centre): Thank you, Mr Currie. For those of you who haven't seen *Last Tango in Paris*, it makes buttering your toast at the breakfast table a far different experience than it has been.

The reference to *Last Tango in Paris* of course would focus people's attention on, let's say, sexuality or sexual behaviour in film. What about violence in film and the fact that all of us, and certainly our children—there has been all sorts of data released—see literally hundreds, if not thousands, of killings, rapes, murders, slaughters, slashings, be it on television or in film? Can you comment on that or any personal concerns that you might have about that?

Mr Currie: From a personal point of view, I'm a parent. My daughter is almost 27, so she makes those decisions for herself now, but when she was younger I certainly had quite serious concerns probably as much about violent content as about sexual content. I think the board is cognizant of that and their guidelines reflect that. It's very important.

Mr Kormos: There's been concern expressed about the Nintendo-style games that are available for computers at home—and I assume they may be available in commercial outlets where kids go out and play these games—and the content of those. I don't believe that the film review board in Ontario currently has power to control those. Would you, appreciating that you're not the policy-maker, but as a member of the film review board you would be in a position to provide input, be interested—I don't say from a personal point of view—in having the film review board have the same jurisdiction over those video games as they do over film?

Mr Currie: I would have to become much better acquainted with the issue in terms of what the logistics would be of doing it, how practical it would be, but I think it's certainly worth looking at.

Mr Kormos: What do you think the overriding purpose of a film review board is, other than telling me I can't look at certain things or our children can't look at certain things? What's the fundamental purpose of the film review board, in your view?

Mr Currie: I see it as being a consumer guide basically in terms of content and guidance, particularly to families.

Mr Kormos: Do you believe the film review board should have the authority to tell people what they can and cannot see?

Mr Currie: As I say, it's been moving away from that. I understand it still has ultimate power to prohibit

films from being shown. I'm not sure whether I agree with that.

Mr Kormos: How strong a consideration is the argument of artistic merit? I refer back to, and you and the other members may be familiar with, the Mapplethorpe controversy in the United States, where there was a legitimate battle between artistic merit and concern about the sexual content of those photographs.

Mr Currie: Redeeming social importance? Was that one of the phrases?

Mr Kormos: Well, yes, but where do you stand on the artistic merit versus—

Mr Currie: I think it has to be a consideration. Certainly I've been fascinated to read about the material the board deals with and how much of it is purely adult sexual content, which to my mind doesn't have a lot of artistic merit attached to it. I mean, there's certainly a difference between *Last Tango in Paris* and/or its equivalent nowadays and a lot of the stuff that's available.

Mr Kormos: There's a difference between Mapplethorpe and schlock porn, but others wouldn't agree with me; they'd say no. But do you see it as an artist's role, be it a filmmaker, be it a painter, be it a photographer, to push the envelope? Do you see that as their function socially and perhaps even historically?

Mr Currie: In context, to use the tired phrase, if there's a larger purpose I think it's relevant and maybe the envelope in those situations can be pushed a little bit.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much, sir, and certainly on this side I'm honoured to support your appointment.

The one thing that I did hear—and I will make it short—and I know it's a difficult one to answer because it's not defined: you talked about community standards. It's something I've always had difficulty with, whether it's politicians' standards or someone setting the definition of standards, community standards. You had difficulty telling Mr Martin what community standards are, and it's a difficult one to tell because it's the standards and the mood of the community that day, and the makeup of that community. The makeup of communities changes and sometimes the community standards change with the makeup of the communities. So I'm glad that you will keep an open mind and I encourage you to keep an open mind, but at the same time represent the view of the community that you're appointed to represent.

Mr Wood: We'll waive the balance of our time.

Mr John Gerretsen (Kingston and the Islands): Welcome, Mr Currie. You're certainly from one of the most beautiful parts of this province, the Lake of the Woods area, which always reminds me very much of my part of the province, the Thousand Islands area. It's very similar to that.

I noticed in your resumé that the first person you ever interviewed was Lester Pearson. He's certainly a man whom many politicians nowadays could look up to with great admiration, because we just don't have politicians of that stature any more.

1020

What I wanted to ask you, and Mr Kormos sort of hit on it earlier, in some of the background information that we were presented on what the board does, it certainly seems that the vast majority of its time is taken up with what is referred to in the text here as adult sex films. Something like 239,000 minutes have been viewed compared to only 123,000 minutes in mainstream and foreign and things like that. I know there's always this debate between freedom of expression and sexual exploitation, and where do we draw the line. Can you give us any ideas as to how you view that whole scenario? Where do you think the line should be drawn between people being allowed to express their feelings and something just being totally outrageous, that it has absolutely no redeeming value at all? Can you give us a little insight into how you approach that?

Mr Currie: Sometimes I think it's a tough call, but I would suggest that in a majority of those however many minutes you just quoted there, there's not much doubt as to whether there's any artistic merit at all. I think it's strictly a commercial venture, which is finding a marketplace certainly, but artistic merit doesn't enter into a lot of it, I don't think.

Mr Gerretsen: Let's assume for a moment that there is no artistic merit. Would you then see your role as making sure that product is either not shown or allowed into the province in any way, shape or form, or that there be restrictions placed on it as to how it can be marketed and who can see it? I'm thinking particularly of children who obviously should not be able to see it. Where do you draw the line there? What should it be? Should we just ban it outright or should we put some severe restrictions on it?

Mr Currie: There you're getting into an area where jurisdiction is divided between the province and the federal authority. There is the Criminal Code and the obscenity provisions that come in at a certain point. I know there are cases before the courts now that may determine some of that. In terms of the board's ability and authority to regulate, it's going to be difficult as time goes on, because very soon we're going to be in a situation where video on demand over the Internet is going to be much more a reality. We're approaching it now, but pretty soon, if you have access to the Internet, you will be able to get whatever is out there with nobody looking over your shoulder.

Mr Gerretsen: That leads me to the next question, before I turn it over to my colleague here. Then what's the sense of still having the board? If, in effect, the same material can be obtained by individuals in the privacy of their own homes through computers etc, why censor any of it? I'm just sort of asking you what you think.

Mr Currie: It's a valid question which I have certainly thought about, and I don't know what the ultimate answer is going to be on that. It may be that whole area would be more appropriately left to law enforcement and the board should concentrate more on the mainstream product. I'm not sure.

Mr Gerretsen: Good luck in your appointment.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Currie. I'm a mother of four children and so, as you can perhaps understand, I am certainly very interested in the rating system that is in place. As a parent, I go to that very regularly when we go to the video store, when we watch movies at home on TV. I have to say that I am more and more disappointed at what we are able to access over our regular cable channels. Having that perspective shared with you, I am curious; do you know how many people sit on the Ontario Film Review Board?

Mr Currie: I'm not sure precisely but I think it's around 35.

Mrs Dombrowsky: Do you know how many would be women?

Mr Currie: Something approaching half, I think.

Mrs Dombrowsky: It is? I'm glad to hear that. You know, of course, about the trends in our society where more and more women and children are victims of violence, where they are victims of offences that involve firearms. There are many people within the community of the province, and even the country, who are very concerned and would perhaps connect that what is seen, what is presented through the video media, the film media, is quite often replayed or it's used as a model for some real-life tragedies. Someone has seen something in a movie, a violent act, and they have then gone out and done what they have seen.

Do you think there is anything the film review board can do, in light of this, to look to minimize those sorts of things happening in the future? Do you think there is perhaps access to these sorts of films—it's very easy to get them, to watch them—for youngsters to watch them, or for people who may not be of healthy mind to watch them and then, as a society, we deal with the aftermath? Do you think that the film review board has any role to play in perhaps preventing that kind of material from getting into communities or maybe even being distributed?

Mr Currie: Again, we're in an area that some of it is before the courts right now. I don't know. I still go back to my thought that the board's most important role is to educate, to view and to draw attention to what could be offensive or objectionable or dangerous content. Putting a flag on that, I think, is about as much as they can do. There's a lot of argument that could be made in terms of the copycat syndrome that you're talking about. I don't know that the review board can do a terrific amount in terms of resolving that issue.

Mrs Dombrowsky: Also, it is within your mandate to review films and videos, but we also know that music videos are very much a part of our culture today. Does that fall under your purview, do you understand?

Mr Currie: Music videos such as we would see on MuchMusic and channels like that?

Mrs Dombrowsky: Yes.

Mr Currie: I don't believe it's under their jurisdiction, no.

Mrs Dombrowsky: Do you think that's something that perhaps should be?

Mr Currie: No, I think it would probably fall more properly under something like the Canadian Broadcast Standards Council, which is affiliated with the CRTC.

Mrs Dombrowsky: That would conclude my questions. Thank you.

The Vice-Chair: Anything further, Mr Gerretsen?

Mr Gerretsen: No, thank you.

The Vice-Chair: That's fine, sir. I want to thank you for joining us this morning. The concurrence of these appointments will be made at the end of the meeting.

By the way, when it was mentioned that you interviewed Lester Pearson, I'm the proud owner of a tie that belonged to Lester Pearson and I wear it on occasion.

Mr Currie: Is that it?

The Vice-Chair: This is not it, but I wear it on occasion. Had I known you were coming, I would have worn it this morning.

Mr Currie: I'll just tell you very quickly, it lasted all of about 70 seconds, I think. I ambushed him after he made a speech one day and he took pity on me.

Mr Gerretsen: Was it the highlight of your broadcasting career?

Mr Currie: Not quite.

RAY BARLOW

Review of intended appointment, selected by third party: Ray Barlow, intended appointee as member, Niagara District Health Council.

The Vice-Chair: The next intended appointee is Ray Barlow as a member of the Niagara District Health Council. Mr Barlow, please join us. Make yourself comfortable. You may be aware that you are free to make some opening remarks. Any time you take will be deducted from the government side, but then we'll allow you to spend about 10 minutes with each of the caucuses. So make yourself comfortable.

Mr Ray Barlow: My name is Ray Barlow. I would like to thank this committee for hearing me today. I am currently a member of the Niagara region, living in a small community called Ridgeway, just outside of Fort Erie. My wife, Michele, and I moved to the Niagara region in 1995 and have called it home ever since. We are the proud parents of a four-year-old boy named Bryce and a one-year-old girl named Andrea. The Niagara region is a great place to live and raise a family and I am proud to be part of this community.

In 1998, I finished my MBA at Niagara University in their full-time program, while working full-time and helping to raise my son through his first year. The reality of time management during this year became a quickly learned lesson.

1030

Prior to this, I graduated from Bishop's University with an economics degree in 1992. Currently, I am the general manager of a large retirement community located in Port Colborne, Ontario. I work very closely with a

skilled group of people with a great desire and compassion for seniors. I enjoy the diversity and constantly changing demands of my work. I am a licensed nursing home administrator in the province of Ontario and I worked in long-term care prior to my current employment. I am currently on the board of directors for CCAC Niagara. I have experience working with the Ministry of Health and Long-Term Care and a respect for the complexities of health care.

Overall, I see the growing importance of technology in health care and believe that as demands increase at all levels, further efficiencies will be created by keeping health providers with the people. I believe in the power of people and that every member of every community must be involved with the community at any level in order to keep their community well.

I look forward to the challenges if appointed to the Niagara DHC, and I am prepared to meet those challenges. I will be happy to answer any questions.

The Vice-Chair: Thank you, sir. We'll move first to the government caucus.

Mr Mazzilli: Thank you very much, Mr Barlow, for attending. What perspective would you bring to the district health council? Some people bring a personal perspective if they work in the field; if they're a nurse or a doctor, say, they would bring that perspective. You have an interesting perspective as a parent with two young children, and from working in the retirement field with older people, if you will. I say that with respect, because all of our parents and grandparents are aging. So you seem to have both of those perspectives. Which perspective would take priority, if either?

Mr Barlow: You're talking about the education/health care debate?

Mr Mazzilli: No, I'm talking about health care. You have two perspectives: as a parent with young children, obviously you would want health care there for families, and then you have the perspective of working in a retirement environment. Do you think you can bring both perspectives to the district health council, both as a parent and someone working in the field?

Mr Barlow: I believe that's an advantage I have, yes. I would also say that it's very clear to me that the views of the community must be brought forth to the district health council.

Mr Mazzilli: That's my only question.

The Vice-Chair: Anything further?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: Now we'll move to the official opposition.

Mr Gerretsen: Just a procedural question: when the government waives its time, is that time added on to the other two parties' times?

The Vice-Chair: If it were up to the Chair, it probably would be, but I don't think it is, no. I have to retain my neutrality.

Mr Gerretsen: You are the Chair. You are in charge, and I think you should set the rules and regulations for this.

The Vice-Chair: I think the precedent is that they just simply waive it.

Mr Gerretsen: Oh, precedent, precedent.

Mr Barlow, I have a couple of questions. You're already on the community care access centre, you run a nursing home and you now want to be on the district health council. In following up the excellent questioning of Mr Mazzilli, let me ask you, do you not feel there may be a bit of a conflict between these various roles you would be expected to play in these various aspects? Just a question, sir.

Mr Barlow: I'm not aware of any conflict. However, if there was a conflict, I believe there is a conflict-of-interest clause in both organizations, and I would fully respect those clauses. Conflicts of interest are very easy matters to contain. You just refrain from any of the decision-making.

Mr Gerretsen: Community care access centres are in great difficulty clear across the province right now. Newspaper reports from right across the province make it quite evident that the community care access centres are not getting as much money as they need to carry out what they perceive to be their functions. In light of that and in light of the ever-expanding role your own community care access centre undoubtedly is having in the Niagara area, with people being released from hospitals earlier and sicker, needing more home care, nursing care and what have you, why do you feel you want to add the extra responsibility of sitting on the district health council as well as on the community care access centre?

Mr Barlow: I haven't entirely made my decisions in terms of whether I'm going to be continuing with the community care access centre or not, given my new responsibilities. I have seen a lot of the work that the district health council has done over the years—I've been receiving their reports for five to six years—and it's something that's of interest to me. I think it's a very important perspective to pursue in that a lot of the views of the Niagara region have to be brought forth via the DHC.

Mr Gerretsen: Do you feel that right now that's not happening in Niagara, that the district health council is following a course of action that you disagree with personally?

Mr Barlow: I haven't taken it from that perspective. I have seen some very good things they've discussed in their service plans.

Mr Gerretsen: Could you give us an example?

Mr Barlow: I know there is some work being done on physician recruitment by the DHCs, which is very important. I believe it's an issue that faces a broad spectrum of Ontario. They have adopted some very good workings to that. I am aware of the fact that the community of Port Colborne has had some great success in recruiting. I believe they've recruited about five physicians to that local community. What's been done across the Niagara region I'm not too clear on.

Mr Gerretsen: How long have you been on the community care access centre?

Mr Barlow: For about three years.

Mr Gerretsen: About three years. Thank you.

Mrs Dombrowsky: Good morning, Mr Barlow. Just to pick up on your last statement, you have indicated that you are aware of the performance of the district health council in providing some services. Are you familiar with the Maclean's health report which indicated that the Niagara region district health council has dropped significantly in its ranking over the course of the last year? It went from 19th to 28th.

There were two significant reasons. One was the fact that the heart attack survival category declined significantly; if you had a heart attack in your region, chances that you would survive that experience were not as good as in other parts of the province, sadly. The other problem in the Niagara area is that local residents are compelled to seek health care outside the region. Are you familiar with that study?

Mr Barlow: I'm not aware of the Maclean's report. I do look at Maclean's from time to time, but I did not read that report, so it's not fair for me to comment on it.

Mrs Dombrowsky: Would you be aware that those in fact are issues within the Niagara region? I would expect that with your involvement on the CCAC, you might have some sense or some inkling that patients in need are not able to access important services within your community.

Mr Barlow: I can look at it from another perspective. The Niagara Economic and Tourism Corp commissioned a study by David Foot with some other demographic professionals. Some of what you've talked about is obviously addressed in that study. The one thing I can probably comment on is that I know the ranking has dropped because there is no longer a nursing school in the Niagara region for RNs. I believe Niagara College dropped that program. I'm not exactly sure if it's finished or not. But there is no mechanism to get trained RNs into the Niagara region locally. They must go outside of that region.

Mrs Dombrowsky: I guess I'm just having a little difficulty understanding how, if a nursing school is no longer present within the community—I think that's sad because we need more than we have—that is really going to impact services within the area, diminish the services.

Near the very end of your comments, you talked about further efficiencies. Would you be able to read that statement you made? I was just curious.

Mr Barlow: I'll say very clearly that overall, I see the growing importance of technology in health care and believe that as the demands at all levels increase, there will be further efficiencies created by keeping health providers with the people.

Mrs Dombrowsky: "Further efficiencies," for me, is a bit of a flag that says "more cuts."

Finally, do you belong to a political party?

Mr Barlow: Just to answer that further, I don't take efficiencies as cuts; I see better allocation of people.

Mrs Dombrowsky: We've just heard that terminology so very often and that's usually what it means.

Do you belong to a political party?

Mr Barlow: No, I don't.

Mrs Dombrowsky: You don't. Thanks very much, Mr Barlow. I appreciate your answers.

1040

The Vice-Chair: Any further questions? We'll move to the third party.

Mr Kormos: Howdy. I for one am pleased that you applied for the position. This was one of the advertised vacancies?

Mr Barlow: Yes, it was.

Mr Kormos: And you responded to the ad?

Mr Barlow: I didn't respond to the ad. I was in discussion with our MPP's office.

Mr Kormos: As a result of the ad?

Mr Barlow: Yes.

Mr Kormos: You were interviewed by the district health council's nomination committee?

Mr Barlow: No, I was not.

Mr Kormos: Oh, you weren't. Fair enough. But you spoke with Mr Hudak?

Mr Barlow: I spoke with his office, yes.

Mr Kormos: It's not a problem. I would expect you to. Did you speak with Mr Hudak?

Mr Barlow: On the matter, no, I didn't.

Mr Kormos: His office gave you advice on how to apply for the position?

Mr Barlow: Yes, they did.

Mr Kormos: What was that advice?

Mr Barlow: To submit my resumé.

Mr Kormos: To whom?

Mr Barlow: They said to forward it through them and they would forward it to the district health service.

Mr Kormos: To submit your resumé to the MPP's office. OK. You came here with briefing notes?

Mr Barlow: Yes.

Mr Kormos: You've been referring to those during the course of your responses to other members of the committee.

Mr Barlow: These are my own notes. I did some research on the—

Mr Kormos: No problem. It's important because I've chastised other people for not doing research. You came here with notes, anticipating certain questions, right?

Mr Barlow: Yes.

Mr Kormos: That's a good thing, because we've had people come here not knowing what the heck they were even applying for and expecting to get appointed. I've got no quarrel, but I am concerned. After you submitted your resumé to your MPP's office, what happened then?

Mr Barlow: I guess—

Mr Kormos: If you don't know, it's OK.

Mr Barlow: I don't know.

Mr Kormos: What was your next contact? Did Mr Harris call you? Did he invite you over for a glass of water?

Mr Jerry J. Ouellette (Oshawa): Is that how it's done?

Mr Kormos: I don't know. What happened next? I don't know. I've never applied for these kinds of positions.

Mr Barlow: The next thing I heard was that my appointment had been approved.

Interjection: Approved?

Mr Kormos: Who did you hear that from?

Mr Barlow: Approved—

Mr Kormos: Fair enough. Who did you hear that from?

Mr Barlow: Not approved, but it had been brought forward through cabinet.

Mr Kormos: Who did you hear that from?

Mr Barlow: From the MPP's office.

Mr Kormos: Yes, that it had been brought forward through cabinet. You haven't been interviewed?

Mr Barlow: As of yet, no.

Mr Kormos: Nobody phoned you and asked you about your background?

Mr Barlow: Oh, yes, I did—

Mr Kormos: Who phoned you and asked you about your background?

Mr Barlow: I'm not sure exactly what office it is, but I had a lady call me who asked a bunch of questions of me.

Mr Kormos: What kind of questions?

Mr Barlow: What organizations I had been involved with, what my position is, and so on and so forth.

Mr Kormos: You, of course, wouldn't want to breach procedure, would you?

Mr Barlow: I'm not aware of the procedure.

Mr Kormos: But you wouldn't want to breach it, would you?

Mr Barlow: I'm not aware of the procedure.

Mr Kormos: Would you want to break the rules?

Mr Barlow: I'm not particularly a person to break rules, no.

Mr Kormos: You're not a scofflaw, are you?

Mr Barlow: I don't understand that terminology.

Mr Kormos: You're a law-abiding, process-abiding person, aren't you?

Mr Barlow: Yes, I am.

Mr Kormos: Did you know that the procedure prescribed for appointments to district health councils is that the district health council's nomination committee interviews candidates? Were you ever made aware of that?

Mr Barlow: I'll be blatantly honest. I've developed a very strong relationship with both our MP's office, John Maloney, in Port Colborne, as well as our MPP's office.

Mr Kormos: Of course, because you advocate for your residents.

Mr Barlow: We have a lot of problems with our residents and I end up being in the advocate role.

Mr Kormos: No problem with that. You should have that relationship.

Mr Barlow: I've had a number of dealings with both those offices for many years now, and I think they're very aware of my involvement so I'm not exactly—

Mr Kormos: You guys had a heck of a board meeting down with the CCAC—what, a week and a half ago?

Mr Barlow: It was an interesting meeting, yes.

Mr Kormos: It was a long one, wasn't it?

Mr Barlow: Yes, it was.

Mr Kormos: And at that meeting a decision was made to lay off staff?

Mr Mazzilli: On a point of order, Mr Chair: What we're talking about in this committee happens frequently. What happened at a closed-door meeting at a CCAC should not be something—

The Vice-Chair: I don't know whether that's a point of order, but the intended appointees, as you have reminded some, are free to answer any questions that are asked, or they don't have to answer them. I'm sure he can do this on his own.

Mr Mazzilli: I would just point out to you that if you don't feel like—

The Vice-Chair: Thank you.

Mr Barlow: I can quickly answer that.

Mr Kormos: Sure.

Mr Barlow: The board is currently still making deliberations on the whole situation and there hasn't been full closure of the whole process yet.

Mr Kormos: But I read in the paper that some pink slips were being issued by the CCAC. Was that a fair commentary in the paper?

Mr Barlow: Again, there are still some deliberations in process on that matter which I wish not to comment on at this time.

Mr Kormos: I heard the board expressed concern to the press about a \$9-million shortfall in funding. Was that a fair comment, the one that I overheard?

Mr Barlow: Again, there are a number of things going on regarding this matter that are not finalized.

Mr Kormos: I heard that as a result of the funding shortfall, 1,000 people currently receiving CCAC home care are going to have to be shoved off home care and put on a waiting list. Was that accurate information?

Mr Barlow: They haven't been confirmed yet.

Mr Kormos: I heard there are going to be percentage drops in the number of folks, people like our grandfolks and our moms and dads, who aren't going to get fed any more by home care people, that there is going to be a significant percentage reduction in the amount of service in home care.

Mr Barlow: I can answer that. I don't believe anyone is going to lose any current service.

Mr Kormos: Who is the fellow you were sitting with in the back there?

Mr Barlow: Mr Neal Roberts.

Mr Kormos: What do you know about him? He met you here?

Mr Barlow: He did, yes.

Mr Kormos: He escorted you to this room?

Mr Barlow: No, he did not.

Mr Kormos: He met you here in the room?

Mr Barlow: When I walked in, he did.

Mr Kormos: Did you know you were going to meet him here?

Mr Barlow: No, I didn't.

Mr Kormos: Do you know what his function is?

Mr Barlow: I'm not exactly clear, no.

Mr Kormos: What was the impression he gave you? You're not a kid. I can't tell you not to talk to strangers, but this is the big city, after all, and you never can tell what somebody is approaching you for. Were you just being friendly when you had your chat with him?

Mr Barlow: Actually, I do know Neal Roberts. He ran the ambulance system in Port Colborne for many years, and being a retirement development, we saw a lot of each other.

Mr Kormos: All right. Is he applying for a position here today?

Mr Barlow: I don't know.

Mr Kormos: Do you mean you just met him here by accident?

Mr Barlow: I don't know.

Mr Kormos: You have no idea what he's doing here?

Mr Barlow: I know he's aware that I'm being appointed to the district health council.

Mr Kormos: You have no idea whether he came up from Port Colborne to provide with you moral support?

Mr Barlow: I know he has some affiliation with our MPP's office.

Mr Kormos: If that's all, no problem. So Mr Roberts was here to make sure you got here, maybe.

Mr Barlow: Did you want to call Mr Roberts up here?

Mr Kormos: I would love to but, trust me, Mazzilli would be bouncing off the ceiling if I were to suggest that.

I appreciate the intimate relationship. There's nothing wrong with it. People should feel close to their MPP. Once again, my concern, though, is the breach of protocol.

The Vice-Chair: You have three minutes.

Mr Kormos: All right. Why is it that you'd want to leave the CCAC board and move on to DHC?

Mr Barlow: I haven't said that.

Mr Kormos: Well, you suggested you haven't made a decision yet about whether you're going to remain on the CCAC board and that you're contemplating leaving it if you get appointed to the DHC.

Mr Barlow: I'm still investigating, but if there is any conflict from me being on both boards, I would step down from the CCAC.

Mr Kormos: What was your understanding of the purpose of this meeting?

Mr Barlow: To understand my credentials and my background.

Mr Kormos: What was this committee to do?

Mr Barlow: Thrash that out of me.

Mr Kormos: I'm sorry?

Mr Barlow: To thrash that out.

Mr Kormos: Thrash that out?

Mr Barlow: Bring that out.

Mr Kormos: To what end?

Mr Barlow: To decide whether I should be appointed or not.

Mr Kormos: Who gave you that information?

Mr Barlow: I got it in the briefing notes in terms of what the standing committee is about, the terms of reference.

Mr Kormos: Of the committee. Who provided you with those?

Mr Barlow: There is a lady from the office of the appointments. I don't have her name.

Mr Kormos: Did you have any conversations with anybody in preparation for this meeting?

Mr Barlow: Yes, I did.

Mr Kormos: With whom?

Mr Barlow: I had some conversations with a former member of the district health council.

Mr Kormos: Who is that?

Mr Barlow: A lady named Candice Paris.

Mr Kormos: How did you make that contact?

Mr Barlow: I know her personally.

Mr Kormos: And you called her to inquire as to what was going to happen at the committee?

Mr Barlow: Yes.

Mr Kormos: Did you talk to anybody else in preparation for this committee?

Mr Barlow: I talked to the office of the committee that sent me a lot of information in terms of what the DHC is.

1050

Mr Kormos: See, this is turning into a longer process than it should be. Did you talk to anybody else?

Mr Barlow: No.

Mr Kormos: OK. You were advised that your appointment had been approved by cabinet?

Mr Barlow: No, I wasn't.

Mr Kormos: What were you told about cabinet then, vis-à-vis your appointment?

Mr Barlow: I was told that cabinet was passing that on.

Mr Kormos: I'm sorry?

Mr Barlow: Cabinet was passing that forward.

Mr Kormos: What does that mean to you?

Mr Barlow: I don't have a great concept of the political realm. Forgive me.

Mr Kormos: Neither do I. But who gave you that information that cabinet was passing it on?

Mr Barlow: I had a call from the MPP's office.

Mr Kormos: From Mr Hudak's office? You can call him Mr Hudak. You can call him Tim. You can call him Minister. You can call him Minister Hudak.

Mr Barlow: I don't know him that well.

Mr Kormos: OK. They told you that the appointment was being passed on. Were you aware that you were in a competition here?

Mr Barlow: I'm not, no.

Mr Kormos: Would you want to defeat somebody who might be a better candidate than you? Would that be fair?

Mr Barlow: I don't think I can comment on that, not knowing the other candidates.

Mr Kormos: I'm asking you if there were a better candidate, do you think it's fair that you get the appointment rather than a better candidate?

Mr Barlow: I believe I have the relevant experience to sit on this committee.

Mr Kormos: I'm asking you do you think it's fair that you get that appointment if there were other candidates who were better suited or better qualified than you?

The Vice-Chair: That's the last question. Go ahead.

Mr Barlow: How would you define that? I wouldn't—

Mr Kormos: Thank you very much. I've got a feeling you don't gotta worry. Go sit with Mr Roberts and wait for the conclusion of the morning.

The Vice-Chair: Thank you, Mr Barlow. You've done an outstanding job in representing yourself before the committee this morning. The concurrences will be held later in the meeting. Thank you very much for coming.

Obviously, he was warned about everybody but Mr Kormos.

ROB DAVIS

Review of intended appointment, selected by third party: Rob Davis, intended appointee as member, Social Benefits Tribunal and Social Assistance Review Board.

The Vice-Chair: The next intended appointee, as a member of the Social Benefits Tribunal and Social Assistance Review Board, is Mr Rob Davis. Welcome. You are free to make some opening remarks if you so choose. The time of those remarks will be deducted from the time of the government caucus, but we hope to leave you ample time to discuss your intended appointment with all three caucuses. So make yourself comfortable and we can begin.

Mr Rob Davis: I guess by way of introduction, I was born and raised in this great city of Toronto back in the 1960s. I suppose it may sound a bit cliché or perhaps even stereotypical to say that growing up I faced a number of challenges, not the least of which was the situation of being in a single-parent family. By any number of measures, I would say that we were poor. But growing up in the west end of the city of Toronto in a very close-knit community imbued me with a sense of public service, whether it was through activities at school, through my church or other institutions, and that has been carried with me throughout my life.

In the early 1990s, as a local resident, I saw the need for reform in the institution of local government in the former city of York, and I successfully sought election as a member of city council. Back then we were called the politically incorrect term of alderman, and I became, I suppose, one of the youngest aldermen or city councillors in Ontario—certainly, I think, the first African-Caribbean-Canadian councillor in the 200-some-odd-year history of the former city of York. I really set about

dealing with issues related to governance and reforming the ways in which government interacted with the citizens of the city that I lived in.

When you serve as a city councillor for the number of years I have, unfortunately for your family but fortunately I think for you, you get many, many opportunities to sit on committees and subcommittees and agencies and boards—almost too numerous to mention here. I want to just give a sampling of the types of experiences I've had. I was the board member of Northwestern General Hospital, prior to its amalgamation and transformation to the Humber River Regional Hospital, as it is known with the three campuses. I was a founder and member of the local community economic development advisory committee. I sat on the library board and the board of health. I was an executive member of the Black Business and Professional Association. I sat on a fundraising committee to raise money for the Johnston Chair in Black Canadian Studies at Dalhousie. I sat on virtually every committee of city council in that period of time, as well as having the opportunity to work on some interesting issues vis-à-vis the AMO task force on social benefits, which was a group that sought to open the lines of communication with the ministry to make certain we weren't ever blindsided by decisions and that there was an understanding between the people who were legislating some of the service provisions versus the people who were actually providing the service.

That's just a very broad and brief explanation of some of my experiences. I have to say it has been a tremendous journey to be involved in government and to be involved in public service. It's one that I wish to continue. I am open to questions and look forward to answering them as forthrightly as I possibly can.

The Vice-Chair: We will begin the questioning with the official opposition. Ms Dombrowsky—Mrs Dombrowsky—which do you prefer, Leona?

Mrs Dombrowsky: Mrs.

The Vice-Chair: OK, thanks.

Mrs Dombrowsky: Good morning. How are you this morning, Mr Davis? It's very nice to see you here.

Mr Davis: Good morning. I'm fine, thank you.

Mrs Dombrowsky: While you certainly have indicated your political experiences on your resumé, I understand that you have some other political experiences as well. Would you like to share those with us this morning?

Mr Davis: Sure. I was elected student council president at my high school, St Michael's College School. I've been involved in an organization called the ICPC, which is the International Conference on the Prevention of Crime. One of my areas of forté has been in the area of community-based crime prevention. I chaired the city's task force on community safety and crime prevention, presented papers at international conferences in Africa and in other countries.

I was recently at the EU summit participating in an organization called the IDU, which is the International Democratic Union. It is an organization of centre and

centre-right parties looking at promoting democracy around the world. It was quite interesting because we met many opposition party members from countries where they don't have the same rights that opposition parties have in this province and in this country.

Mrs Dombrowsky: That's an arguable point.

Mr Gerretsen: Don't give him any ideas

Mr Davis: No, if I may finish. In 1991, as I mentioned earlier, I ran as a municipal candidate. I ran for re-election in 1994. In 1996, I had the opportunity to be a candidate for provincial Parliament to replace Bob Rae in the riding of York South. In 1997, I ran in the new amalgamated city of Toronto, as I did in the year 2000, although unsuccessfully.

Mrs Dombrowsky: You ran municipally in the year 2000 unsuccessfully?

Mr Davis: That is correct.

Mrs Dombrowsky: When you ran to replace former Premier Bob Rae, for which party were you running.

Mr Davis: It was the Progressive Party. I thought you all knew that.

Mrs Dombrowsky: Maybe I did, but just for the record that's good information to have. Are you employed at the present time?

Mr Davis: I'm sorry?

Mrs Dombrowsky: Are you employed at the present time?

Mr Davis: No.

Mrs Dombrowsky: OK. With regard to the role that you would have as someone appointed to the social benefits tribunal, you are familiar, perhaps, with the reform that this government has enacted with regard to the tribunal. Would it be your perspective that it is more challenging for people who would seek to appeal a decision to pursue it through the tribunal process?

1100

Mr Davis: I want to explain my answer perhaps by using an anecdote. Any time there is a change in legislation or in the procedure that a particular quasi-judicial body uses in applying the law, it is a challenge for citizens—

Mrs Dombrowsky: Especially when they add a step to a process that wasn't there before.

Mr Davis: I'm not going to put your words in my mouth, but let me say this. I have been a very ardent supporter of communities, whether they're going through the old rent control process or the new rent tribunal process, or the old Liquor Licence Board process or the new Alcohol and Gaming Commission process, or the old metro licensing process. I think I know where your question is really leading.

One of the areas I've worked quite a lot in helping citizens cut through what I call the bureaucratic clutter of some of these quasi-judicial bodies, to help them achieve the end result and get the types of judgments they're seeking. One of the strengths I think I would bring to the table is to really try and make it as easy as possible for lay people to have access to and go through the tribunal and the appeal process. I think that's very important. So

while I haven't sat on a quasi-judicial tribunal myself, I've had many, many years of contact with them from the advocacy side. I think that brings some skills to the table.

Mrs Dombrowsky: My question has been answered, but I do have another one. These are not my words. I'm not trying to put any words in your mouth. I want you to be very clear on that. When the Social Assistance Reform Act, 1997 was debated in the Legislature, the new Social Benefits Tribunal was criticized by then-Ombudsman Roberta Jamieson and Allan Borovoy of the Canadian Civil Liberties Association, among others who were opposed to the elimination of the Social Assistance Review Board. They argued that adding a first-stage internal review to the appeal process would make it more cumbersome and time-consuming for appellants, who are usually in great need of the benefit under dispute. Those are other individuals who were very familiar with the previous system whose opinion it was that this additional step was not in the better interests of the people who were being served.

In my role as an MPP, I can share with you most definitely that I see a lot of people in my office who are perplexed by this very issue, who do not have the resources or the understanding—and I represent a part of rural Ontario where not everyone has transportation to access support services to get direction, support and advice to understand, when they've been denied, how they might address that. There has been this additional step added which, again, adds to their burden in terms of having their issues addressed in a timely way. We are talking about situations where there are wee children who sometimes have to go over a weekend without food. They have to visit the food bank for these necessities.

I think it's important for you to understand. I appreciate your answer, but my life experience in this role would suggest that people are not especially well served by this additional step that has been added under the Social Assistance Reform Act, 1997.

Mr Gerretsen: Just a couple of very quick questions. Are you interested in seeking further political office at any time in the future? I personally believe there is absolutely nothing wrong with doing that and, as a matter of fact, people ought to be commended for doing that, particularly if they run at the local level, which is probably the most relevant to them.

Mr Davis: I have to tell you it's not a decision I've yet made, so to say either way would be to speculate on potential opportunities in the future. At this point in time, I'm very interested in new and different challenges, and that's why I'm here and not seeking office.

Mr Gerretsen: But it's not beyond the realm of possibility that you may run in the next municipal, provincial or federal election, for that matter.

Mr Davis: No, it's not. I'm a young man—sure, I have grey hair—so I think that in the next 40 years there will be ample opportunity to seek office.

Mr Gerretsen: Do you have any personal opinions—and I'm talking about your personal opinion now, not a party opinion. I realize you were a Conservative

candidate, but I'm not interested in your party's opinion or the Liberal Party's opinion or the NDP party's opinion. Do you have any personal opinions about the 22% decrease in social assistance payments initiated by the Harris government back in 1995 as to how it affected individuals, children, single parents, everyone? What do you personally think about that decision and how it affected people?

Mr Davis: I expressed my opinion on that matter to the media back at the time the cuts were announced, and they were well reported. I don't have a problem repeating them here. Personally, I would have liked to have seen the cuts matched in sync with some of the job creation opportunities that were occurring. I would have liked to see the cuts to taxes which helped create the economic expansion we've been witness to over the last five or six years in step with job creation. That being said, hindsight is 20/20. Who was to know that the government of the day was actually going to achieve its job creation goals well in advance of its stated target?

Again, those are comments that are, quite frankly, public. They were reported in the media here in Toronto.

Mr Gerretsen: Do you think that anybody receiving \$1,300 or \$1,400 a month in social assistance is getting rich living off the system, as it were? I find it incredible, sir, since you indicated yourself that you're from a very poor background. I'm not sure whether you or your family were on social assistance or not—

Mr Davis: No. We were never on social assistance.

Mr Gerretsen: —and quite frankly, it's irrelevant. I've always had it very good in this country. I'll be the first to admit that. My parents came here with almost nothing in their pockets and three kids in tow, and we've always had a very good life and have always been very successful. I find incredible the constant attack on the poor and the vulnerable in our society and how this notion is advanced by certain people that with this \$1,400 a month, these people who, for whatever reason, didn't work—there may good reasons, bad reasons, whatever—were living off the system and off you and me and that's why we're going to cut them back—and I've got the rates here—to \$1,100, \$900 or \$700 in various categories. I find that repulsive. I've found it repulsive over the last five years and will continue to do so no matter how well off I am myself.

You, coming from a position like that, I can't understand—

Interjection: Amen, Amen.

The Vice-Chair: I'll give you, Mr Davis, the opportunity to reply.

Mr Davis: I have to tell you, I've never ever heard any member of the government caucus state an opinion as you've stated it now. Never ever, ever have I heard a member of the government say that people are getting rich off the system. I've never heard a member of caucus or cabinet say, "We want to get these lazy bums off social assistance," or suggest in any way, shape or form that people on social assistance should be scapegoated. I haven't heard it. I've heard the government—

Mr Gerretsen: Well, their actions have certainly indicated it.

The Vice-Chair: I'll let you gentlemen carry this on at a later date. I think I've given you both an opportunity and we have gone over our time. I will now move on to the third party.

Mr Martin: From my perspective, your intended appointment to this Social Benefits Tribunal and Social Assistance Review Board is, as the member from Kingston has just suggested, given the terrible circumstances that a whole whack of people are experiencing out there today, one of the most important things that we do here. I believe that one of the more fundamental responsibilities of government is to look after those who are most at risk and most vulnerable in our communities. You're applying for a job where you'll be their last recourse if they've been turned down. Given your tremendously rich background, why did you apply for this particular position?

1110

Mr Davis: That's a good question. I don't know if you've ever had the prospect of suffering an electoral defeat, but soon after that occurs, you spend a lot of time soul-searching and thinking about the future and thinking about ways in which you can contribute. Quite frankly, after looking at opportunities in the private sector, opportunities in the public sector and NGO-type things, I thought this would be, first, an interesting challenge, but secondly, really an opportunity to help people. I quite firmly believe that it's an opportunity to utilize some of the skills that I've been endowed with or skills that I've developed over a number of years at the tribunal. I think that I can be the type of compassionate, impartial adjudicator and provide what I think will be sound and reasonable decisions that will really make certain that the law is not just a piece of paper that is sort of coldly applied, but that I'll be there to listen to people's stories and to hear them and to give them a voice.

Mr Martin: Have you done anything in particular in the last few months to help you understand the circumstance that some of the folks who may be coming before you are experiencing so that you can make that compassionate, impartial decision?

Mr Davis: I've been doing that my whole life, sir.

Mr Martin: Can you give me some examples of some things that you've done in the last while to understand the circumstances that people are finding themselves in?

Mr Davis: I can talk about raising money to help bury the child of somebody who was killed, allegedly by a parent, by the other parent. I've been involved in helping to raise money for various church organizations. On a very personal level, I deal with people I know. I have personal friends who are on social assistance or who have been on social assistance. I have a fairly intimate understanding of some of the financial and social challenges that they go through.

From the time I was a very young person, I was raising money for probably one of the first Out of the Cold programs that operated from my old church, which is Holy Rosary Roman Catholic Church. For me, it's sort

of hard to say, "This is the one example where I went and did this for a week," because it's something that I do as a matter of course every day, every time there's an opportunity. We've had social functions. In my old days as a city councillor, it was a virtual edict that every bit of excess food was not to be thrown out but was to be donated and dropped off at the Good Shepherd Refuge. Those are examples of dealing with people who are, quite frankly, on the fringes of society. So it's something that I live every day, quite frankly.

Mr Martin: I guess what I was trying to get at is the circumstance that's out there now and in many ways is driven by some of the decisions that this government has made. The member from Kingston a few minutes ago referenced only one.

Are you aware of the work of Campaign 2000?

Mr Davis: No.

Mr Martin: They're a group that was formed after the federal government in 1989 passed a resolution that they would eradicate poverty by the year 2000.

Mr Davis: Yes, now you've refreshed my memory.

Mr Martin: What they found was that in 1989, one in 10 children was living in poverty and in the year 2000, one in five. As a matter of fact, there's a group out of the city of Toronto attached to Campaign 2000 who had a press conference a few weeks ago and suggested that one in three children in Toronto is living in poverty. So even though this government has created all these jobs and we've had this wonderful economy, there's a growing number of people—and many of them working poor—who are still living in some desperate circumstances.

I was in Ottawa on Friday, hosting a forum called the People's Parliament on Poverty. We had two women come forward there who suggested to us that the most important decision they make every day because of the overwhelming circumstance that they face—they're mental health survivors—is whether to live or to die. That's the decision they make every day, because they don't know if they're going to be evicted from their apartment, they don't know if they're going to have enough money to feed themselves. So I guess that's why I was asking you if there was anything that you've done in the recent past to suggest that you would understand the very difficult and compounding circumstance that people are in today because of the initiatives of this government.

Mr Davis: Let me say this, and I don't want to sound like a partisan, but as an observer there was poverty under the Bill Davis regime, there was poverty under the Frank Miller regime, there was poverty under the David Peterson regime, and there was poverty under the Bob Rae regime.

I happen to come from a community rated as having probably the highest per capita levels of poverty in virtually all of Ontario, the former city of York. So I'm not a stranger to this. Again, city government aside, from a very personal level and operating from a constituency-based level, my office would run job fairs. We'd specifically take the new Loblaws store operating at the

Forest Hill market. We would specifically go into the communities that had high rates of unemployment. We would specifically talk to teachers who were working with kids who were at risk. We'd specifically go to some of the social agencies providing services to some of the people you're talking about and to others who had maybe fewer barriers to employment. We'd specifically go to churches that were dealing with communities on the fringes of society or that were susceptible to economic downturns or job loss or high rates of unemployment. We would specifically go to those organizations and try to make connections between probably one of Canada's largest grocery store retailers and an opportunity of having a job. Those are things that I've been involved with and I would say are important.

There was a study that was released, I guess a year or a year and a half ago, that talked about the risk of middle-class flight from the inner city, that having neighbourhoods with people of different socio-economic backgrounds was one of the keys to providing employment for folks who were perhaps—and I hate to use the term—not middle class but lower class or poor, working poor, and that one of the keys to socio-economic mobility was having contact with that middle class, having contact with opportunities to employment. I would argue, sir, that my experience has been to try to create those opportunities, to put people in contact with opportunities to employment.

Eight years ago I started a little thing—it's sort of innocuous—called the Junior Carnival Parade. It's a children's parade fashioned after Caribana, and it takes place in a section of the city where you have the largest concentration of African-Caribbean-Canadian-owned businesses, people who provide employment, pay taxes and create wealth. By bringing a cultural spectacle to the street, we've created jobs and we've provided opportunity and created links with young people in the local stores and provided real economic opportunity. That's just a small thing, but I think I know where you're coming from and I know what you're saying. I believe my role, though, as a member of the tribunal, quite frankly, is not to rewrite the legislation but to try and make certain that people who have been denied access to these benefits haven't been wrongly denied that access and to make certain that if they meet the eligibility requirements they then receive those benefits.

The Vice-Chair: Thank you, Mr Martin. Your time is up.

Mr Martin: My time's up?

Mr Davis: If I may finish, your question is a great question if I were a candidate for provincial Parliament, but I'm not.

1120

The Vice-Chair: Thank you, Mr Davis. We appreciate your coming here.

Mr Wood: Excuse me, I think we may have a question here.

The Vice-Chair: Oh, well, I think that was just a Freudian slip.

Mr Bert Johnson (Perth-Middlesex): Not so much a question, Rob, but I've been an admirer of yours ever since I attended a seminar you put on in London. I wanted you to know that, because since that time I have followed your career at a distance. I've held an admiration for the way you conduct yourself and the social conscience that hopefully you will bring to this position.

Saying that, politics is a fleeting and flitting career, but I hope you would keep in mind an ambition to perhaps represent your community as mayor of this city and so on at some time. I think if that's a goal you have for yourself, I would encourage that.

I want to remind ourselves a little bit of the position we were in in 1995, and I want to give an example. For instance, the member for Kingston and the Islands has quite a philosophy, I guess, of the cuts that were made in 1995. As I recall, he's absolutely right; it was 21.6% or 22%. I think if he wanted to give the overall picture, he would also remind us that along with that cut, we allowed anyone to earn that back without any kind of penalty. It seems to me that would suit some people. Yes, they might not be able to take a factory job where there were eight-hour shifts and so on, but a few hours helping at the food bank or something like that might very well help qualify them for making that up.

The example I wanted to give—and it's only an example. It's not the worst or the best but it impressed me so much that I've remembered it for nearly six years now. Toward the end of September, a gal phoned me up and said she had a phone call saying that she was going to be cut off benefits altogether. So I asked her a little bit, and, yes, she had a daughter from a previous relationship. The fellow she was living with didn't contribute much and she counted on these benefits to support that family unit.

I thought of myself in 1966 when I got married. I'd started a couple of years before that at Co-operators insurance at \$43 a week. My wife and I discussed it and we wanted a family. I didn't want my kids raised by the neighbours. I married her and we decided to have children that we would raise the way we wanted to. So she stopped working and we adjusted to what that entailed.

When this gal said that she was phoned, I said, "Does your husband?"—and I'm using that word in a big sense—"not contribute?" "No, he doesn't." I pictured my family situation, not unlike her sort of thing. He wasn't contributing and, as a taxpayer, here I was supporting her to support him. Some of things that I may have had a twinge of conscience about—because I do have one too—eased up a little bit and I assured her that I would do my best to have that put in writing for her.

I wanted to say, Mr Davis, that I think the representatives of the other two parties have very well instilled that this is a very responsible position and, yes, you will be the last appeal avenue for some very desperate situations. I'd just like to say that I'll be voting to have you represent the province on that board because

I have a great deal of faith in both your compassion and your judgment.

Mr Gerretsen: On a point of order, Mr Chair: let the record clearly show that when the 22% cut was made, there was no earn-back provision provided for.

Mr Wood: That's not a point of order.

Mr Gerretsen: But the truth should be—

The Vice-Chair: Order.

Mr Mazzilli: Thank you, Mr Davis. I too have followed your career and there is no question in my mind that you will be back.

One thing that really impressed me is, you've highlighted the difficulties with poverty and how it's existed at some level throughout our history in this province. The only debate, when you get all the three parties, is how you reduce it or eliminate it. That seems to be the debate.

What you've highlighted, too, is the question of the level of poverty, because, as you know, there are the working poor. The Liberals, of course, have a solution: increase social assistance payments. That certainly serves one class, but there are people, families, who have gone to work every day for many years and have made, in some cases under Liberal governments, less than others did by staying home. So that's a difficulty.

But the one thing you said today that really impressed me was that, as a board member, your job would be to interpret the legislation, not to write the legislation.

The Vice-Chair: Could you wrap up, please. Your time has expired.

Mr Mazzilli: That is probably one of the most important things you said today, because very few people can go into a quasi-judiciary role without applying their views and actually looking at it as, "I'm going to apply the law of the day, of the government of the day," and I think that is a very impartial, reasonable and responsible way to look at this appointment.

The Vice-Chair: Time has expired. We appreciate your attendance at the meeting today, Mr Davis.

Mr Davis: Thank you, Mr Chairman.

The Vice-Chair: We'll have concurrence shortly.

That ends the interviews of the intended appointees. We're ready to deal with the intended appointee, Mr Roger Currie.

Mr Wood: I move concurrence.

The Vice-Chair: It's been moved by Mr Wood. Any discussion?

All those in favour? Opposed? Carried.

The intended appointee to the Niagara District Health Council, Mr Ray Barlow.

Mr Wood: I move concurrence.

The Vice-Chair: Concurrence has been moved by Mr Wood. Discussion?

Mr Martin: I think this particular person is going to be in conflict of interest in this position so I can't put our caucus's support on the table for this particular appointment.

Mr Gerretsen: I have some concerns as well. He runs a nursing home that he's been involved with from the beginning. He currently sits on a community care access

centre, which is a very important role. As far as direct delivery of services is concerned, it may even be of greater importance than the district health council, which supplies services as well.

However, I was impressed with the gentleman, particularly the manner in which he was able to take the constant barrage of cross-examination that was so ably put by Mr Kormos, who is no longer in the room.

Interjection: Yes, he is.

Mr Kormos: I'm everywhere, John.

Mr Gerretsen: I'm glad I used my words very judiciously in describing his cross-examination. I thought the gentleman did just wonderfully and I think he is a good appointment. I will be supporting the appointment.

1130

The Vice-Chair: Any further discussion on Mr Barlow?

Mr Kormos: I should tell you that Mr Barlow, as an individual, in and by himself, presents himself as capable as anybody. Mr Martin has already referred to his—that is, Mr Martin's—observations that the conflicting roles are ones about which he and the New Democratic Party have concerns.

In addition to that, we all should have concern about the circumvention by this government of the long-standing appointments process to district health councils. Chair, you know, as an experienced long-time member of this Legislative Assembly, that there have been protocols developed and, indeed, beyond being mere protocol, many of these have been formalized by way of processes with respect to various institutions across the province. In years gone by, from time to time I've sat on this committee and we've seen the circumvention of this process by this government in a number of areas. Today we're dealing with it in the context of district health councils.

The process for appointment is advertising a vacancy—and no quarrel; it appears to have been the case here that that's what indeed happened—and then the applicant or applicants, as one would hope, apply and are screened by the district health council nomination committee. The district health council then submits those names for consideration by the government of the day for appointment to the district health council.

That is an entirely appropriate process because (1) it depoliticizes it very clearly; (2) it lets the district health council have some control, because there are requirements for representation from various sectors on the DHC. You want the DHC to be balanced. Again, I should indicate that there is no dispute in terms of Mr Barlow's eligibility vis-à-vis the sector for which there is a vacancy. I concede that. As a matter of fact, I mentioned that to Mr Barlow after he gave his evidence, that indeed one of the eight vacancies currently on the district health council in Niagara requires a person from his sector of health care.

What is troubling—and it's unfortunate—to be frank, is that this is so much like the manner in which the Conservative and Liberal parties chose an Integrity Commissioner but two days ago. I expect that Mr Barlow

will be approved. I don't anticipate sufficient opposition to his appointment for his candidacy to be rejected. It's unfortunate that he's going to be placed on this board under what is something of a cloud, I submit; not a cloud of his own making or a cloud that reflects any internal integrity on the part of Mr Barlow or even reflects any lack of desire to serve.

The fact is that the district health council submitted five names to the government, as far back as February 1999. I confirmed this morning with the district health council that those five names consist of people who are still willing to serve, none of whom has been approached for consideration for appointment. That is a very disturbing thing. Perhaps I was a little unfair in putting to him the fact that if he was competing with somebody who was better qualified—that wasn't the fairest of questions to put to him. I acknowledge that. But my purpose was to make it quite apparent or at least to let people draw the inference as to where I was going to go when it came time for submissions, as now, and how Mr Martin, on behalf of the New Democratic Party, perceived this whole matter.

I find it very troubling that district health councils are increasingly being stacked by hand-picked government appointees. This is something that is of concern in Niagara. Niagara underwent a dramatic and troubling health care restructuring, where governance of its hospitals was put under one mega-board. That mega-board, the Niagara health services board, recently displayed its lack of familiarity and intimacy with the grassroots of Niagara when it fired Dr Abraham for blowing the whistle on a report—can you believe this, Mr Martin?—that had been prepared recommending the closure of one of but three psychiatric units. We only have three municipal psychiatric units. When Dr Abraham blew the whistle on them, Niagara health services responded by telling him he was fired. Dr Abraham said, "I've had it. I quit. I'm not going to let you fire me; I'm going to quit." Here is a psychiatrist with some 20 years' experience who has served our communities incredibly well.

Nobody is questioning Mr Barlow as an individual. Nobody is questioning his personal integrity. But I, as a non-voting person here at this committee, endorse and join Mr Martin in his observations and concerns about that appointment. I don't think it's an insult to any candidate. Mr Barlow was refreshingly different from, for instance, a candidate who I had occasion to observe in this committee last week, one Dean Allison, former failed Alliance candidate, who runs a Wendy's hamburger joint—

Interjection.

Mr Kormos: Well, it's what he runs. He betrayed not only no familiarity with Trillium, either at the local or provincial level, but went on to make it clear he didn't even have the initiative that I expect he would expect of one of his young employees in terms of familiarizing yourself. That's what they teach you. It's basic stuff. We're trying to teach young kids. Every job fair I've been to for young kids says that one of the first things

you do is research the company you're applying to. If a youngster went to Mr Allison and said, "I know I'm applying for a job at a hamburger joint, but I don't know Wendy's from McDonald's from Burger King," I'm sure Mr Allison wouldn't be very impressed. That youngster would not be at the top of his list. I'm sure Mr Allison would look at the youngster and say, "If you haven't got the wherewithal and the smarts, or if you're so cocky as not to even familiarize yourself with the company you're applying for a job with, I'm not interested." I said that about—

Interjection: Was he approved?

Mr Kormos: Yes, he was. I responded to Mr Allison in quite that way. So it was refreshing to see Mr Barlow come here prepared, and I have no quarrel with that. He did his research. He did his homework. That's why as an individual he impresses one. There's no two ways about it. But I, for the life of me, can't understand why the government persists in stacking district health councils across this province. Well, that's hyperbole. I know that. That's mere rhetoric, because I do know why. This government is sabotaging district health councils. This government is stacking them with government appointees.

Mr Barlow made no bones about the fact that his application didn't go to either the district health council or to the government at Queen's Park; it went to his local MPP's office. That in itself isn't offensive but for the fact that you notice his local MPP appears not to have said, "Oh no, Mr Barlow, that's not how it's done." The local Conservative MPP down in Mr Barlow's riding didn't say, "Oh no, Mr Barlow, you see there is a process with district health councils. You submit your application to the district health council, which reviews your application through their nomination committee, vets people and then refers them on to the government." Mr Hudak is either unfamiliar with the process or he is disdainful of the process. If he's unfamiliar with the process, after having been a Tory MPP for several years, then I say shame on him for not being familiar with it. If he is familiar with it, then I say shame on him for being a party to the circumvention of the process, for being a party to the attack on the integrity of district health councils, for being a party to the political stacking of boards of district health councils, be it in Niagara or across the province.

I find Mr Martin's position to be one of integrity in its own right, one that does not in any way attack Mr Barlow but one that has listened to Mr Barlow here, that has assessed all of the facts, that has great concern about the work life of Mr Barlow in a private sector seniors position. Again, it was acknowledged by Mr Barlow that there may be problems with being on the CCAC along with being on the district health council, and I add to that the New Democratic Party's concern about the stacking of DHCs.

1140

Mr Gerretsen: Far be it for me to disagree with Mr Kormos, a man for whom I have the utmost of respect and with whom I agree probably 99% of the time. But I do disagree with him on this. This gentleman wanted to

be on this board. He contacted his local MPP. They said, "Send your resumé." He then sent it in. It's not up to him whether or not—he said he wasn't a member of a political party, but let me go on record stating right here and now that there's nothing wrong with belonging to a political party. All three parties need lots of active people in our ridings. We want them to belong to parties.

I sometimes get the impression here that if somebody belongs to a political party it's being held against the individual. I will go on record as saying that I am against that. I will never vote against anybody just because he happens to be of another party or whatever. I just don't operate that way. If we have a good individual, regardless—you know, some of my best friends are Tories—Tories, not Canadian Alliance members. I know very few of them as a matter of fact. Certainly, I think people in this province should be urged to join parties and to work for local candidates. There's nothing wrong with that. This whole business of, "Are you a member of this party or that party," who cares? If they're good individuals then they should be appointed.

However, having said that, I have some great problems with this whole notion of potential candidates being vetted by a district health council nominating committee. It seems to me, if that is the current process, there's something wrong with that process. To me it sounds very incestuous. This notion that the current board should basically go through a nominating process and approve people who will be their replacements later on isn't right, as far as I'm concerned. It may be the current process. Mr Barlow didn't know about it. It shouldn't be held against him. If Mr Hudak didn't know about it as a minister of the crown, I think he should be severely reprimanded by this committee. I certainly won't move that, but the government members, being very much interested in procedure, will undoubtedly have a word with him, that from now on when people come for applications they should look at the process in which those particular applications are handled, and the different ministries will probably deal with it in different ways.

I certainly will be supporting Mr Barlow, again, because of the excellent manner in which he handled himself under the fierce cross-examination of Mr Kormos earlier.

Mr Mazzilli: Mr Chair, just quickly for the record. We go through this week after week, and when a good candidate comes before this board, people will kindly say nice things, but the local member of provincial Parliament forwarding a resumé and somehow doing a diligent job becomes the issue.

I can tell you that in my constituency many long-time supporters of all parties will show interest in being appointed to boards, and you send those resúmes in on behalf of those constituents. You do that. Somehow, if one of those members, whether they belong to the Liberal Party or the Conservative Party or the New Democratic Party, is selected to come before here, the name of that member of provincial Parliament is brought into this committee by the two oppositions and somehow that member has done something wrong.

For the record, the members who have forwarded those resumé's are being diligent members of provincial Parliament. In this case, Tim Hudak, the member for Erie-Lincoln, did an outstanding job in forwarding Mr Barlow's resumé through, and that would be the end of my submission, Mr Chair.

Mr Gerretsen: He didn't follow the rules.

The Vice-Chair: Further discussion? Ready for the question? All those in favour of the appointment of Ray Barlow? Opposed? It's carried.

We'll now deal with the intended appointee, Rob Davis, to the Social Benefits Tribunal and Social Assistance Review Board.

Mr Wood: I move concurrence, Mr Chair.

The Vice-Chair: Discussion?

Mrs Dombrowsky: I unfortunately will not be able to support this appointment. I was concerned by a number of things that the individual made reference to. I certainly am aware of the role. I understand that it's not the role of someone who serves on the tribunal to make the law but to interpret the law to the best of their ability. But I'm concerned about the mindset with which an individual would come to that particular experience. Some references were made about the fact that there were poor people with every government. I think it's important to know there are more today in Ontario than in 1995.

Mr Mazzilli: Not a chance.

Mrs Dombrowsky: That is the truth. I speak the truth. There are more children living in poverty today than in 1995. That you would deny it does not make it less so, and I challenge you to present the figures that would say—

Mr Mazzilli: This is exactly what I said in my submission.

Mrs Dombrowsky: If I might continue, Mr Chair. That is the reality. I find it very disturbing that while it is presented that we have more jobs, we are more affluent as a society, that there are more children at risk. These are the people who come to see me in my constituency office who would suggest that the process that is in place is not serving them well; that the resources they receive are not sufficient so that they can have any quality of life. The very fact that the individual had difficulty talking about poor people—people who will come to this tribunal are not low-income people, they are poor people. Call them poor people. That's what they are. We cannot mask or masquerade that. I'm very concerned when there are people who are in roles that deal with the most sensitive situations in society and are coming to that role with a mindset that they are of a lower economic status. They are in trouble; that's why they are there.

With respect to the opposition calling people to this tribunal and the sense of the government members that we get some perverse pleasure from grilling people, this is part of the democratic process. If it were not an important process it would not be in place, it would not be part of the standing orders. We take this responsibility very seriously. So, for the record, it's important, I think,

that I at least share my perspective of why I come here every week and ask questions as I do.

Mr Martin: Just as briefly as I can, there's nothing more important and fundamental, as I said before, that government does than making sure that those who are within our jurisdiction who are most at risk and most vulnerable get looked after. This government has shown itself time and time again to be more than ready to, in fact, do the opposite, which is to use those who are most vulnerable and most at risk in our community as political pawns: to welfare-bash, to poor-bash, to continually bring forward initiatives that take away and demean and diminish the support for and opportunity for these folks to actually get themselves out of their circumstance or look after themselves in their circumstance time and time again.

1150

What concerns me is that as we sit here week after week we see more and more people brought forward, certainly not from my office but particularly from government member offices, names of people who will support the government's approach to these things. They've on one hand turned over the delivery of services to the most marginal and poor to corporations like Andersen Consulting—now Accenture—to come up with ever new and creative ways to make it impossible for people to actually qualify for some of the programs that are out there now. One of the major reasons you have a shift in numbers of people on assistance is not that they're not out there but that the criteria are now so narrow or the bar so high that they simply don't qualify. These agencies will now ultimately, at the end of the day, decide, once there is an appeal brought forward, whether in fact they qualify. To be stacking these boards with people who support their approach and their program and their philosophy, to me, is not acceptable. I'll be voting against this appointment for that reason.

The Vice-Chair: Mr Gerretsen and then Mr Mazzilli.

Mr Gerretsen: Let me make it absolutely clear that I do not care about a person's political affiliation. This government has made some excellent appointees of people who are card-carrying Tories and probably card-carrying people from other parties. The person who comes to mind is Mr Keith Norton, the Ontario Human Rights Commissioner, a former colleague of mine and certainly an excellent appointment. There are many, many others as well. So what I'm going to say has got nothing to do with the fact that Mr Davis is a card-carrying Tory or ran for the Tories or whatever.

I am very concerned, though, that this is an extremely important position. This is the last appeal that a lot of these individuals have. I know—

Mr Mazzilli: Tell us how efficiencies—

Mr Gerretsen: I'm going to tell you that, Mr Mazzilli. Undoubtedly, Mr Davis has many excellent attributes, but I know of absolutely no one within the social service field or who works with people who are poor and on social assistance—and we should help these people in whichever way we can in a positive fashion to

get out of that rut, to give them life training to make sure they get jobs, all that sort of stuff. I agree with all of that. But I know nobody in that field who has stated to me—and I've spoken to many individuals over the last six years, and not just people who support me or my position or my party's position—that it was a positive move by this government back in the middle of the summer of 1995 to basically cut people off welfare by 21% to 22%. Yes, some people do abuse the system, but the 90% of the people who do not abuse the system in some way or another were severely penalized when they were reduced by some \$200 or \$300, depending upon what category they were in.

Mr Davis could have acknowledged that these people were hurt as a result of that. He doesn't have to necessarily agree with the government's policy of this reduction because he wants to be on this commission. If he had been honest and said, "Yes, I think that was the wrong thing to do," then I would be supporting him. But this notion that somehow an appointee to a board like this should agree with everything the government has done in that area I think is totally fallacious. I regard his unwillingness to admit to that as a deficiency for him in this position. Are there other positions out there that he should be appointed to? That may very well be. But I will not be supporting him for this position, and it's got nothing to do with partisan considerations.

Mr Mazzilli: This is what we again hear from the Liberals. They won't take a position. They're saying that Mr Davis is somehow not qualified for this position. Mr Davis clearly said that it's not his job as a board member to make the law; it's his job as a quasi-judiciary board member to apply the law. If the Liberals and Dalton McGuinty want to restore 21% or 22% to social assistance, plus inflation—make it 30%—run a campaign on it. Put your name on paper and say you will run a campaign on restoring 30% to social assistance.

Don't blame that on Mr Davis, who is coming before this committee, who has applied for a position, who is well qualified, who is remaining neutral on policy and is

saying if appointed, he will, as a quasi-judiciary board member, apply the law of the day. All quasi-judicial bodies have to make legal, sound decisions because they can be appealed to provincial court, as everyone knows. Mr Davis knows that role, knows that he'll be making those decisions based on the legislation, not his personal opinions. I, for one, believe he is probably one of the best people this committee has interviewed, the most qualified and most reasonable person who has come before this committee. I find it appalling that the official opposition is going to be voting against him, personally.

I say to the official opposition, if you believe all these cuts are wrong, go out and run a campaign saying you're going to restore social services by 30% or 35% and we'll fight it out in that forum, as opposed to this forum.

The Vice-Chair: Any further discussion?

I'll put the question, then. All those in favour? Opposed? It's carried.

It is almost 12 of the clock, but we may want to take a few minutes. The standing orders do provide for meeting and arranging the subcommittee, normally, to discuss any further meetings during the intersession. But we have to keep in mind that at this point, we have one intended appointee selected for which the time will expire on July 15. That's something that will have to be dealt with.

Mr Wood: I would ask for unanimous consent of the committee to extend the time for consideration of that intended appointee by 30 days.

The Vice-Chair: It's been requested. Agreed? Agreed.

The subcommittee, then, or some other forum, will take care of when and how we're going to meet.

Mr Wood: I think we might leave the calling at the discretion of the Chair, once we have a sufficient number of people to review.

The Vice-Chair: Good. Thank you, Mr Wood. Is there any further business for the committee? Thank you all. It's been another pleasure chairing the meeting this morning. We're adjourned.

The committee adjourned at 1158.

CONTENTS

Wednesday 27 June 2001

Subcommittee report	A-119
Intended appointments	A-119
Mr Roger Currie	A-119
Mr Ray Barlow	A-122
Mr Rob Davis	A-127

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr John Gerretsen (Kingston and the Islands / Kingston et les îles L)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / -Centre ND)

Clerk pro tem / Greffière par intérim

Ms Tonia Grannum

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

2 ON
XC 19
652

Publication

A-10



A-10

ISSN 1180-4335

**Legislative Assembly
of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 8 August 2001

Journal des débats (Hansard)

Mercredi 8 août 2001

**Standing committee on
government agencies**

Subcommittee reports

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapports du sous-comité

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday 8 August 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 8 août 2001

The committee met at 1300 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'm calling the meeting to order today, this meeting of Wednesday, August 8, 2001, of the standing committee on government agencies. We have a number of people who will be appearing before the committee today.

Before that, we have some motions to deal with. The report of the subcommittee on business dated Thursday, June 28, 2001: would someone like to move that?

Mr Bert Johnson (Perth-Middlesex): I'll move it.

The Chair: Mr Johnson has moved that. Any discussion? If not, all in favour? Opposed? Motion carried.

The report of the subcommittee on committee business dated Thursday, July 5, 2001.

Mr Johnson: I'll move that as well.

The Chair: Mr Johnson has moved the motion. Any discussion? All in favour? Opposed? Motion carried.

The report of the subcommittee on committee business dated Thursday, July 12, 2001.

Mr Johnson: I'll move its adoption.

The Chair: Mr Johnson has moved the report. Any discussion? All in favour? Opposed? Motion carried.

The report of the subcommittee on committee business dated Thursday, July 26, 2001.

Mr Johnson: I'll move its adoption.

The Chair: Mr Johnson has moved the report. Any discussion? All in favour? Opposed? Motion carried.

I would like, first of all, to thank members of the committee for being as accommodating as they have been. I know that some members of committee in particular have onerous responsibilities in terms of the number of committees they are on and other responsibilities, and I must say that as Chair I appreciate the co-operation, first of all, with the meeting times and, second, in extending certain time limitations we have. That kind of co-operation is always appreciated, particularly when I know how challenging it is for some to be able to get to various committees and to also undertake their other responsibilities and their constituency responsibilities.

INTENDED APPOINTMENTS

JACK CALBECK

Review of intended appointment, selected by official opposition party: Jack Calbeck, intended appointee as member, Brant County Police Services Board.

The Chair: Our appointments review begins with Mr Jack Calbeck, who is an intended appointee as member, Brant County Police Services Board. Sir, would you like to come forward, please.

Our procedure, if no one has informed you of it, is that you have the opportunity to make an initial statement, if you'd be pleased to sit down and make that statement. After that, each of the parties represented on this committee has an opportunity to question you and ask questions about your responsibilities for up to 10 minutes each. Fortunately, we subtract any time you take from the government side. We welcome you to the committee, sir, and if you have an initial statement, we'd be happy to hear from you.

Mr Jack Calbeck: Good afternoon, gentlemen and lady. I am here, as you know, for the Brant County Police Services Board. I have been a resident of Brant county for nearly 50 years, first in the township of Brantford and then, after amalgamation in 1999, of course it was Brant county.

I feel that I could do a good job on this committee. I've had extensive business experience. I was the president and chief executive officer of a local retail grocery chain. We had seven stores and a distribution centre in and around Brantford with approximately 400 employees and about \$65 million in annual sales. I have served as a president of the chamber of commerce, the golf and country club and several other business-oriented groups. I am semi-retired; I still like to go to my office from time to time. It gives my wife a bit of a break and I find it a reason to get up and shave in the mornings.

I have the willingness to do this job, and I intend to devote as much time to it as necessary. I enjoy excellent health, and I feel I have the energy that would be required. I know it will be a challenge because I know very little about the job, but I think with my business background I could do the job and I feel comfortable that I could do it quite well. My basic philosophy is that a good, sound business decision made on facts and a good mixture of common sense will go a long way in any

endeavour. That's pretty much all I have to say. Thank you.

The Chair: Thank you very much, sir. You should know, by the way, that many members come to the Legislature without any knowledge of the intricacies of the job of a legislator and seem to struggle through for anywhere from one term to 11 terms or something like that.

We will begin our questioning with the official opposition.

Mr Bruce Crozier (Essex): Good afternoon, sir.

Mr Calbeck: Good afternoon to you.

Mr Crozier: Thank you for coming into the city of Toronto on this hot, muggy day.

I want to say at the outset, sir, that Dave Levac, the member for Brant, speaks very highly of you.

Mr Calbeck: Thank you.

Mr Crozier: So you might, then, wonder why the opposition called you to come before this committee. Sometimes it's just the luck of the draw; other times it's because the general public thinks we're on vacation all summer, and we have to prove to them that we're not. In any event, welcome.

Mr Calbeck: Thank you.

Mr Crozier: I noticed in some background information you gave that you were on the committee that dealt with municipal restructuring in the area.

Mr Calbeck: Yes.

Mr Crozier: You were a member of the restructuring committee.

Mr Calbeck: I was a citizens' appointee, or the city's appointee as a citizen, on an ad hoc committee when Brantford restructured many years ago.

Mr Crozier: As part of that committee, did you have any role to play in recommending the police services that the new amalgamated area would contract or would hire, ie, OPP, or have your own police service?

Mr Calbeck: I'm not quite sure I follow you, Mr Crozier, because in the city of Brantford it wasn't an amalgamation, it was a restructuring of the city council and the method in which they operated, and that was the introduction of a chief administrative officer as opposed to various committees of council that reported each week to the mayor. It was basically a change of procedure and hopefully a streamlining and modernization of the system. At that time, there was no amalgamation with Brant county.

Mr Crozier: Perhaps I don't understand. That's a good point. In other words, you're going to be on the Brant County Police Services Board, but you were on the city of Brantford's municipal restructuring.

Mr Calbeck: That's right, but it was only the restructuring of the procedures, not the city.

Mr Crozier: OK. Where do you live, though?

Mr Calbeck: I live in Brant county and have done for most of my life. I lived formerly in the township of Brantford, which was one of the five municipalities that amalgamated.

Mr Crozier: It's suggested to us in some of the background information we have that at the time of amalga-

mation in the county, the OPP as the service the county would have was narrowly accepted over having your own police service and that maybe it was because of some of the back and forth, the jockeying, the disagreement that goes on during amalgamation. Do you know that to be the case?

Mr Calbeck: All I know is that the town of Paris was a good-sized municipality that had its own municipal police force. The rest of us in Brant county always had OPP policing. When the council was formed, Paris had good representation, and I think their members were pushing for a municipal force. It was narrowly defeated because obviously the majority of the councillors felt that the OPP could do a better job for the entire county than expanding the Paris municipal force.

Mr Crozier: From your point of view as a citizen, are you happy with the OPP service?

Mr Calbeck: I'm not totally unhappy with it, but I think there's room for improvement. I quite strongly believe there is room for improvement. One of the reasons that I think I'd like this job is that I'd like to bring some things to the table.

1310

Mr Crozier: That's the point to which my questioning was leading. You can express to us, then, your interest in being on the police services board.

Mr Calbeck: Yes. I think I'd enjoy it very much. I've always had an interest with police and am very good friends with most of the ones who haven't retired in Brantford. The chief and deputy chief are both personal friends and I'd be very interested to serve on this board.

Mr Crozier: You may be aware, and please tell us if you are already aware, that it's a little bit different with contracting the OPP than being on a police services board where you have municipal employees, because you will only be in an advisory capacity.

Mr Calbeck: Yes, I understand that.

Mr Crozier: Someone might suggest, and it was my experience being on a police services board where we had our own municipal police service, that you may have to work a little harder to get your advice accepted than you would if it were a municipal police service.

Mr Calbeck: Yes, I'm quite aware of that. I think the role was described to me as more of a liaison between the detachment commander for Brant county and the municipality of Brant county.

Mr Crozier: I wish you well. That's pretty much what I wanted to hear you say in this instance. Thank you, sir.

The Chair: We now go to the third party.

Mr Tony Martin (Sault Ste Marie): I just wanted to maybe follow up a little bit on the questioning that Mr Crozier was doing. You mentioned that you had some things you wanted to bring to the table in view of some of the concerns that you have re the present experience with the Ontario Provincial Police and some improvement that might be brought about. What might some of those things be?

Mr Calbeck: It's strictly a personal thing at this point because I can only speak to what I've witnessed, but I

live in a 50-kilometre zone just on the outskirts of Brantford. Just a few metres past my house it increases to 60 and it stays that way until you get to the village of Mount Pleasant, which is approximately five miles. Cars go past there at anything up to 90 klicks, passing on a double line. I have yet to see a cruiser in my area, and I think that's something that should be addressed. We've got many new homes on the road as the lots are being sold off. We've got young children moving into the neighbourhood, and I don't think we're getting the coverage that we should in my neighbourhood.

Then I hear of stories of people from Paris phoning the OPP and they say, "If you want us you've got to phone London and get our dispatcher." What sense does that make? If Paris is being policed and the OPP office is in Paris—you can go from one side of Paris to the other in five minutes. Why would you want to phone London? I'd like to find out why these things are happening.

I spoke to a friend of mine, and unfortunately he's been off injured for a long time, and I said, "Rick, when you come back you're perfectly welcome to use my driveway, but we've got to get some control of this traffic on Mount Pleasant Road. It's ridiculous." That's just a conversation at a golf tournament. This chap was injured in a very serious car accident. He's still not back to work. I'm convinced that there's a shortage of manpower in Brant county.

Mr Martin: With that in mind, and the contribution that you obviously want to make to this board and your background, as you've stated and as we've noted in your resumé, as being a very successful business person in your area, what would you do to resolve what I'm sure was a bit of a surprise: to come to realize that when it actually comes to the biggest part of the budget that this board oversees in terms of providing policing it is in staff wages and salaries and that that in fact is negotiated by the province—it's no longer negotiated by the local police board—and the increase of 10% as opposed to what they were expecting would be 2%?

In my own area, where some of the rural communities have entered into contracts with the Ontario Provincial Police, the cost has escalated and it seems to be not within their control to manage. Do you have any thoughts or notions about how you might bring your business acumen to the table when in fact a lot of those decisions are really, for all intents and purposes, out of your hands?

Mr Calbeck: I recognize what you're saying as far as the wage settlements and that being out of our control and would be out of our control if I was on the commission. But if we sat down and looked at where the officers are being deployed, when they're being deployed, and had an understanding with the detachment commander: what does it take to police X number of people? Where are we in comparison to that? Where are these men at 7 o'clock on Saturday night when they should be on the road? Are they back at the offices, at coffee break? Is that lunchtime? How many men have you got on Saturday night, when there's a good chance that there's going to be a problem? I think I'd have to find out what's happening

now and see if I could see some way that it could be improved, not necessarily by spending more money, but perhaps a better utilization of the resources.

Mr Martin: I note in your resumé as well that you've been made an honorary member of the police association.

Mr Calbeck: Yes.

Mr Martin: How did that come about?

Mr Calbeck: I was asked if I'd support the golf tournament, because they'd lost a major sponsor. We've always been community-minded. When we were in the grocery business, we were much more community-minded than we are now, because we were dealing at retail. I said, "Sure, fellows. If it'll help you out, I'll be glad to do it." I donated some money and became a major sponsor. I was quite surprised. After the first tournament, they presented me with a beautiful painting and an honorary membership in the association. I think it allows me to go to the annual picnic.

Mr Martin: You don't think that that will in any way create a conflict of interest for you in making decisions?

Mr Calbeck: I can't see how it could. In fact, I phoned the chief and asked him. He said, "Jack, myself and my deputy are both members. You've got to remember, you're applying for the Brant county board. So what would the OPP care whether you were a member of our association or not?" This was the Brantford police, and of course we're Brant county.

Mr Martin: You also mentioned having a personal relationship with some of the senior officials in the policing.

Mr Calbeck: Yes.

Mr Martin: That won't create any difficulty for you either?

Mr Calbeck: I don't know why. I'm not going to be dealing with them. In fact, the city nomination became open back in, I think it was, last fall. Both the chief and deputy phoned and asked me if I'd consider running. They said they'd like to have businessmen on that commission because they felt it would help.

Mr Martin: Thank you. Those are all the questions I have.

Mr Frank Mazzilli (London-Fanshawe): Thank you, sir, for attending. I certainly think that you've applied for this position for all the right reasons. You've also indicated that, certainly with your business background, one of the components of this is to ensure that your county is getting the value they're paying for. As a citizen, you will be charged with that obligation. The other part on the police services board is to pass on the concerns of citizens, which you have also indicated—it may be in some cases speeding; it may be some other problem—to the command of the police agency.

I think you've handled yourself quite well through this process, and I'm sure that you will do a great job. Thank you for appearing.

Mr Calbeck: Thank you very much.

The Chair: Any other member of the government caucus?

Mr Johnson: We'd reserve the remainder of our time.

The Chair: That completes the questioning. We appreciate your coming before the committee. We wish you well in your deliberations, if the committee confirms your appointment.

Mr Calbeck: Thank you very much. I'm certainly looking forward to it.

The Chair: Thank you, sir.

MEL JONES

Review of intended appointment, selected by official opposition party: Mel L. Jones, intended appointee as member, Council of the Ontario College of Pharmacists.

The Chair: Our next individual to appear before us is an intended appointee as a member, Council of the Ontario College of Pharmacists, Mel L. Jones. Mr Jones, you may come forward, sir. I know you were in the audience before, so you know the procedure we go through of an initial statement, if you see fit, and subsequent to that there will be questioning. Welcome, sir.

Mr Mel Jones: Thank you, Mr Chairman. Good afternoon. Thank you for inviting me to participate in the interview process concerning my potential public appointment as a member of the Council of the Ontario College of Pharmacists. My name is Mel Jones. As you no doubt have noticed in my resumé, I have no experience in the pharmaceutical field. I do, however, possess considerable expertise and diversification in areas of management, organization, volunteering and training, abilities that have been enhanced as a direct result of involvement over a period of some 50 years.

As for today, my understanding is that this standing committee on government agencies has the onerous task of not only trying to get to know me the person in the very short period of half an hour, but also making the best possible decision for the benefit of the people of Ontario and the government, all of which must be done on the basis of very limited information. With that in mind, I will try to tell you a little about myself.

1320

On the personal side, I was born and raised many, many years ago in the Beaches neighbourhood of Toronto. After a 14-year tour of duty in the armed forces, which I voluntarily joined as many young men did in the 1940s, I put my roots down in Montreal, Quebec. This came about for two reasons: I had spent time in St Hubert and had fallen in love with not only the Quebec nightlife but also the vast array of spectacular restaurants, and I had heard a new oil refinery was being built. I had no experience in the oil industry; it was primarily because the profession not only paid well but also appeared stable and, as such, I felt it would be able to provide personal growth opportunities and it would be around for a long time.

I started in the oil industry as an oil operations utility man, working for BP Oil, and found the profession fascinating in that little goes to waste. Over time I moved up the ladder through varying degrees of promotion. At the onset, however, the company participated in mandatory

union membership, via the Rand formula. I became involved because I wanted to know what was going on and, by election of peers, was almost immediately voted into the positions of secretary, treasurer and finally president as the years went by.

Shortly after a particularly challenging but successful contract negotiation that ended in a settlement rather than a strike, the company decided they would prefer I sat on their side of the fence, a situation that to the best of my knowledge had never been done before. That is when I became a member of the management team as training officer. In this position, I not only presented contract negotiation opinions; I was also responsible for recruitment and employee training.

Later I was transferred to the Oakville refinery, into another position of stimulating challenge, the mandate being to improve and streamline the warehouse operations at the Petro-Canada refinery.

I had started to volunteer with the chamber of commerce about 1981 and in 1984 left Petro-Canada with a retirement package in order to join my wife in her small business. Although I had no experience in visitor and convention bureaus, or the UIC, people were needed to assist in a volunteer capacity. Being involved, keeping busy and staying active not only benefits the mind; it's a health stimulant against rapid aging.

It was also through the chamber that I became more aware of the political environment, one that provided the opportunity of working with and meeting a number of politicians from all levels of government and all political affiliations. Mostly, however, I enjoyed the volunteering. I've always liked to keep busy and love meeting people in new walks of life.

As for personal political interests, I have never run for any political position; I admire those who do, because I believe it's the ultimate dedication in pursuit of creating a better world in which to live. It takes a special kind of person to enjoy that much limelight. It's like being on stage 24 hours a day, seven days a week, with an audience of thousands.

Most of my involvement, although exceptionally necessary, has been behind the scenes, and even though a president, treasurer or a committee chairman is highly visible and accountable, it's not quite the same. In positions such as these, you usually have sufficient time for adequate research and you usually have breathing space for a personal life in between. Therefore, my political involvement has been supportive in nature, and for 15 years I've assisted in every way possible throughout political campaigns in Burlington: the PCs provincially and the Canadian Alliance federally. Prior to the Canadian Alliance, I was a 12-year volunteer for Reform. I've equally worked on almost every one of the local Burlington food drives.

I'm married to a working wife who was born and raised in Montreal. As mentioned previously, I'm retired and therefore feel it only fair to look after all the housework myself. My wife and I have an exceptional relationship in that I consider her to be my best friend. We have

a total of six children—four girls and two boys—the youngest being 35. Our family is very close. We laugh a lot, talk on the phone and get together as frequently as time permits. Our grandchildren total 12, and we have four great-grandchildren, most living in the province of Quebec.

To this committee I offer a diversified background. I have extensive committee experience and over the years have served in numerous capacities. I'm an honest, dedicated worker, have always done what I say I will do, and I always will. I have never, nor will I ever, taken on a responsibility unless I feel I can perform above the call of duty.

I do not offer this committee expertise in pharmaceuticals, but in my evaluation, this is not what you expect of me. I believe that for this position you are looking for someone who will be able to review topical information as presented, look at all the pros and cons surrounding pertinent issues or subjects, then be able to provide a fair and unbiased analysis, including direction, of discussion topics.

As for specifics relating to the pharmacist industry, I do have a sincere interest in learning more than I have been able to acquire over the past few weeks but expect all this will come about within my first few months of committee involvement.

Regarding preparation for today's meeting, I have reviewed the list of committees of the Council of the Ontario College of Pharmacists. I have also looked over the names of people involved in these committees and know none of them, that I am aware of. Since the list of names only includes initials plus the last name, with no reflection on where these people are from, it is entirely possible that I may know someone. I have also reviewed three months of committee reports; most, but not all, are relatively basic within the structure of any committee. Topics discussed are pertinent to the industry and finances are involved.

I have equally reviewed a very brief summary of the laws regarding narcotic drugs and the filling of prescriptions. Another interesting article contained background information on the college, a copy of which I brought with me.

Finally, I decided to talk briefly to one doctor and two pharmacists in order to find out what they personally considered their primary concerns. I was actually surprised at what their concerns were.

Other than that, I've had little time to explore in a more thorough manner but can assure you that if I am appointed to this prestigious group, I will work diligently to become more knowledgeable in all of the subjects in which I will require input. Thank you for your time.

The Chair: We'll begin our questioning this time with the third party.

Mr Martin: Thank you very much, and thanks for coming today and being interested in public service. Looking at your resumé, you certainly have a wide variety, an impressive resumé of public service.

Given that and also the varied opportunities that are out there to serve on public boards and commissions—and you explained to some degree in your opening why—why this particular college? Why would you choose this, and how did you find out about it?

Mr Jones: Well, this was a surprise to me. In December 1998, I was on the election readiness committee of Cam Jackson in Burlington, and at that time he had indicated to those on the committee that if they would present their resumé, there were some openings on various committees that he might be able to assist in their getting on.

I gave my resumé, which you have, and I got one call from the labour relations board thanking me for the resumé, and that's as far as it went. The first I heard of this particular appointment was when I got a call from Jacquie Seaver about July 10, and as I said, I was quite surprised at it. I was quite pointed in querying her as to what my job would be and so on. I heard about it roughly four weeks ago, so I'm presuming that someone passed it on through and felt that I would be able to contribute.

Mr Martin: Do you know of the Regulated Health Professions Act?

Mr Jones: Four weeks ago, I didn't know such a thing existed. But yesterday I got some information on it, and I scanned it yesterday. I know very little about it. I presume you're referring to two of them. One is an act that was done in 1991. Is that the one that you're referring to? And the other one was the Pharmacy Act?

1330

Mr Martin: No. A large, almost omnibus bill came through that governed the regulating of all the health professions in Ontario. One of them was the profession of pharmacy.

Mr Jones: I have one here that I brought, which is the Health and Long-term Care Council of the Ontario College of Pharmacists. Is that what you're referring to?

Mr Martin: Yes.

Mr Jones: Yes, I have read that.

Mr Martin: What, then, is the role of the College of Pharmacists?

Mr Jones: The College of Pharmacists is to regulate the pharmacist industry in such things as qualifications and certification—I'm predominantly talking about the various committees they have—and ensuring that those individuals who wish to become pharmacists are adequately qualified through training.

Mr Martin: If that's what it's about, why would it be helpful to have somebody on that committee who really has no experience, or has limited knowledge of any of that?

Mr Jones: Well, as I understand it, I am supposed to be representing the citizens of Ontario, who certainly have no idea what the College of Pharmacists actually does. In the last few weeks, I guess I've learned more about the College of Pharmacists than I would ever have thought I would ever know. We are not talking about a product here, such as drugs. We're talking about people, people who need to be trained, people who have to be

certified, people who are going to be dealing with the public and prescribing drugs. I think my experience in being able to analyze individuals will be of value.

Mr Martin: OK. Is there anything else you think you might be able to bring to this particular position?

Mr Jones: As I mentioned, I have met with a doctor and with two pharmacists just to get a feeling of what they might have on the top of their heads as their concerns. Both the doctor and the two pharmacists had training on their minds, and the doctor particularly was concerned with the shortage of pharmacists. The two pharmacists themselves were talking about training, predominantly of those individuals who are coming to Ontario with degrees from countries other than the United States or Canada, and that their readiness or their ability and experience are not up to the Ontario education system. The other pharmacist indicated that she felt they should require more time dealing with the public, out with a qualified pharmacist, that their people skills perhaps were not adequate. So that was what they were concerned with.

Mr Martin: You realize that, according to some of the analyses and studies that have been done, we're looking at a major shortage in pharmacists over the next few years?

Mr Jones: Yes, I understand that. I read an excerpt of that report, and as I understand it, in 2000 there was a shortage of almost 1,000 pharmacists. Very shortly they expect to have twice that many. According to what I read, the Ontario education system graduates about 120 per year, and they are trying to get 20 more and perhaps get up to 240. If we are losing pharmacists to aggressive recruiting, I can't see how 240 will even keep pace with what we have available. We might perhaps get higher than the 2000.

Mr Martin: One of the approaches in the past has been to admit, as we have here in the information that was provided to us, qualified pharmacists from English-speaking countries. I'm not sure if you're aware or not, but there's certainly some activity in the province at the moment, and there has been for quite some time, to try to recognize the qualifications of many professionals who come to Canada, particularly in the medical field right now, because there's a shortage all over the map.

It seems to me to be limiting in a very serious way, when you consider the makeup of Canada now and the various places around the world that people come from to live here and the training they bring with them, to limit it to, as it says here, English-speaking countries. What would your view be on that?

Mr Jones: The level of training, as I understand it, is very, very different than what we do here in Ontario. Ontario apparently has one of the highest training criteria almost in the world, and their graduates are in demand and are very aggressively recruited. So there are a number of concerns that these two pharmacists I talked to had: one was the people skills of people coming in from, say, the Far East or Middle East or perhaps the Russian bloc; and that with their master's degree in pharmacy,

they would not even come up as far as our bachelor's degree here in Ontario. They have in many cases a language problem. One of the pharmacists was actually alarmed at what he had encountered in a situation. So, yes, it is a concern; there is no doubt about it.

Mr Martin: I think you'll find there will be a lot of people out there, including myself, who would challenge your view on that, and your pharmacist friends. In fact, in many of the professions, when the analysis is actually done, large numbers of these professionals coming from other countries have qualifications that far supersede anything that we might have. In fact, there is one person, a Yugoslavian immigrant, who says that although he passed the evaluation and qualifying exams given by the pharmacy examining board of Canada, he was denied acceptance into the profession by the Ontario college, even though we're short. Why do you think that would be?

Mr Jones: I read that as well. I have no idea why that would be. They said he was more than qualified.

Mr Martin: What would your position be in that case, where somebody actually has the qualifications, has passed the exams in the English language and is still denied? What would your position on that be?

Mr Jones: If I was involved in that qualification situation, I possibly would have supported that he should have been certified.

Mr Martin: There's also a concern raised by some of the professional colleges that non-professionals appointed don't take their jobs seriously enough and in some instances don't even show up for meetings. What's your opinion on that?

Mr Jones: As I said, I don't take on a job unless I'm going to do it, and that would be the same case if I was confirmed as a member of the council. I'm retired, my time is my own, and whatever it takes, I'll do it.

The Chair: Mr Martin, your time has expired. Mr O'Toole.

Mr John O'Toole (Durham): Thank you, Mr Chair, and thank you, Mr Jones, for putting your name forward and for volunteering, as you appear to have done in many cases on your resumé. It's quite varied, and you have risen to those challenges as you described.

Mr Martin does bring up an important issue. There are lots of issues in the whole health care debate. It's an important area. Certainly the colleges will be challenged, whether it's the prior learning assessment and looking at foreign, but also in the Ontario Pharmacists' Association's concerted lobby now with respect to listed drugs and how much they're compensated for. Are you familiar with the current campaign they have to educate all elected members, opposition and third party as well as government, about how much they're being paid, how much the pharmaceutical companies are actually charging for the drugs and what they're actually getting? It's a pretty rigorous and onerous challenge. Are you familiar with that issue at all? This isn't a trick question.

Mr Jones: No. I have not been involved with anything like that.

1340

Mr O'Toole: You'll probably hear a lot about that one. Another one too is that the demand line for access to drugs—or prescribed medicines, I'd prefer to say—is growing and escalating at an almost unmanageable pace, some 15% a year, the cost, and it represents one of the biggest struggles. The federal government talked about having a national pharmacare plan and then realized they could never afford it in a thousand years. It's handled somewhat transparently through the transfer payment process, but it's a very difficult challenge.

As we look at stays in hospitals and there's more pressure on therapy and medications to be able to keep people on their own for longer periods of time, and with an aging population, it's going to be a very big part of the health solution. I've said publicly, and I want to say it here on the record, that I believe what they should do is—the whole health care debate, which we heard from the first ministers last week, the pressures on health care expenditures everywhere from BC to Newfoundland, and Nova Scotia is experiencing some difficulties right now too, is that the costs to keep stability in providing those expected services are just unsustainable.

I'm almost 59 years old, and as you look forward, I'm one of those people in the statistics who is going to need those, because we live longer. But I want to put on the record here that I think the federal government, in the Canada Health Act, should take over all the pharmacy stuff, pay for it all, whatever level, listing the drugs, checking them out and certifying them, and the provinces should look after the institutional part of the model.

If there were a national strategy of who approves what drugs, who lists what drugs, and the process to test those drugs and shorten up those timelines, would you be interested in carrying that kind of idea forward at the college level if the opportunity came up?

Mr Jones: It's an interesting concept, I have to say.

Mr O'Toole: People are retiring and going to other provinces, maybe going back down east, and they're on blood pressure pills and all these very expensive medications. If they don't have a plan, forget it. Ontario has a larger plan than most provinces now.

Mr Jones: With what you propose in that scenario, I'd be the devil's advocate. Knowing the federal government's penchant to constantly reduce their transfer payments, let's say, as an example, somehow they'd push it back on to the provinces and then you'd have to pay for it anyway. I remember in the 1960s, when the federal government browbeat the provinces into medicare to start with, with their 50-50 deal. As we all know, at this point in time it's nowhere near that, and that is part of the problem.

Mr O'Toole: It's hurting other provinces that are less wealthy. I appreciate your insights into that. It appears, from what I've seen in your resumé and what you commented on to Mr Martin and others, that you genuinely have the time and interest in a very important policy area.

I think you'll find that in the Ontario College of Pharmacists there will be more debate on the whole issue of

medications than on any other piece. Alzheimer's, osteoporosis, all those growing ailments, and with the population aging, the demographic bulge, are all treated with very expensive medication, and it's only getting more expensive. And yet the federal government regulates which drugs are covered through patent law for 15 or 20 years. So the costs of the medications are pretty much a federal discussion.

I appreciate your submission. It appears to me that you're genuinely interested. It's an exciting area. I wish you luck in that, if that turns out to be the case.

The Chair: Your questions are completed. Thank you very much for your contribution, Mr O'Toole. Thanks very much, Mr Jones, for appearing with us today. Certainly, the pharmaceutical field is a very interesting field to be looking at in the future.

Mr Crozier: What about me, Chair?

The Chair: Oh, I'm sorry. I almost didn't allow the member of the official opposition, who probably has some good questions to ask.

Mr Crozier: And other than Tony, I travelled the furthest to get here too.

The Chair: So, Mr O'Toole, I have yet another person after you. I thought we were ending on such a nice note.

Mr O'Toole: Especially with you ending it.

Mr Crozier: Good afternoon, Mr Jones. I want to say that certainly your honesty is without question and your forthrightness is commendable. We don't often get witnesses before this committee who outline their political affiliations so completely as you have.

Mr Jones: What you see is what you get.

Mr Crozier: That's fine, and I will only say that those of us who aren't of the same political persuasion certainly find the Reform-Alliance—I'm even having trouble finding the word.

Mr O'Toole: Conundrum.

Mr Crozier: Conundrum?

Mr Jones: Yes, there's a short form.

Mr Crozier: Over the last year it's been interesting to watch the Reform and the Alliance. Someone who's involved and interested in it like you are must find it even more interesting. But we'll save that and the medical debate for another day, because there are others of us who have suggestions for both the provincial and the federal governments.

You mentioned that over the last few weeks you had reviewed three reports that were, I take it, either minutes or reports from the council?

Mr Jones: Not from the council; the Hansard reports for meetings here.

Mr Crozier: On the pharmacy issue or just on this committee?

Mr Jones: Just on the interviewing, to give me an idea of what to expect.

Mr Crozier: The interview process.

Mr Jones: Yes. There is another one of two meetings of the council in which I read some of the things that went on in there. Having said that, I've read more in the

last three and a half weeks on pharmacy and so on, and it's frankly getting quite muddled. I think I'm getting information overload or something.

Mr Crozier: Reference was made to the information that we have here, which is a report prepared by research and information services. It's just the order-in-council appointment of Mel Jones to the Council of the College of Pharmacists. Did you have a copy of that?

Mr Jones: I got that yesterday afternoon.

Mr Crozier: And who gave you that, sir?

Mr Jones: It came from Jacquie Seaver. She's from the secretariat on the—

Mr Crozier: OK, fine. So that would give you some idea of what we might ask as well.

Mr Jones: Possibly. There are some questions on that but, having read the Hansard reports and having talked a bit about it, I was not necessarily prepared for the specific questions but had an idea of what was going to—

Mr Crozier: In that information you would have seen that, according to the Ministry of Health, the public members appointed to governing councils of self-regulated health professions are expected to bring a non-health-professional citizen's perspective to the management of the health profession. Has it been suggested to you, though, that you will have any additional training, any additional introduction to the college and its objectives?

Mr Jones: No, it had not been said. However, in some of the Hansard that I read of the interviews, it had been intimated in the various committees these people were going to be appointed to that they were expecting some sort of training. In this particular position, because it's quite complicated and it's a new industry, I don't think I'm going to be thrown into the deep end of the pool.

Mr Crozier: Not immediately.

Mr Jones: I would anticipate there would be some assistance in learning, whether it's documentation or whatever.

Mr Crozier: There are some professionals in the pharmaceutical field as well as some in the other side, the medical field, the treatment side, who suggest that there's an overprescribing of prescription drugs, particularly to our seniors. When a prescription is given to a pharmacist, rather than just filling the prescription and, as they do very well, giving some advice to the patient on how it should be used, do you see where there should be any collaboration on behalf of the professional pharmacist with the doctor, or do you see that as two distinct areas?

1350

Mr Jones: No. I certainly would welcome hearing that there would be some interplay between the medical and pharmacist professions. The doctor I talked to was concerned, first, about the shortage of pharmacists, but he was also indicating that the pharmacists, when they give out prescriptions to the patient, also provide them with a list of possible side effects. The doctor indicated to me that he felt the list perhaps in many cases was too long and too intimidating to patients. He had had reports back

that the patients themselves had not taken the prescriptions for fear of the side effects.

I mentioned this to one of the pharmacists—not the other—and the reply was that one of the things the public does not realize is the actual role of the pharmacist. Therefore, they come into the drug store and see the pharmacist sitting behind a counter counting out pills and basically I guess they feel all they have to do is reach into a cupboard and count out 100 pills and they're going to get \$100 for it. They don't really understand the degree of training these individuals require. He indicated that as far as he was concerned, he would certainly welcome contact between the doctors because they approach the same topic from different ends, and if they don't meet somewhere in the middle there are difficulties right now.

Mr Crozier: This may happen in some instances, depending on the particular doctor and/or pharmacist, but I think that's an area in which there should be more communication. If patients simply don't take their prescribed medicines, it may be a breakdown in communications. The loop isn't completed. In other words, one would think the patient should go back to the doctor and say, "Now I've been warned about this. What do you have to say?" I suspect we have a lot to learn and do in that area.

Mr Jones: Maybe a liaison committee between the two on a constant basis, meeting monthly or quarterly, might assist in that.

Mr Crozier: When you brought up the question, having discussed it with a pharmacist, about the foreign-trained pharmacists, I see again in the information we were given that there is an instance where there might be a suggestion that it was some sort of prejudice that enters into the decision whether somebody is licensed or not. Would you have any prejudice that would affect your decision when it comes to licensing of pharmacists?

Mr Jones: No. I'm straight facts-oriented. I am not prejudiced that way at all. As far as I'm concerned, the best person should get it.

Mr Crozier: Good.

The Chair: Thank you very much, Mr Jones. If you can find a solution to the problem of pharmaceutical companies stealing employees from the government of Ontario to go into the lucrative private sector, you will have made a major mark in Ontario, although that's not within the realm of your responsibilities. I understand that. Thanks for being with us, sir.

DENNIS MCKAIG

Review of intended appointment, selected by official opposition party: Dennis McKaig, intended appointee as member, Ontario Rental Housing Tribunal.

The Chair: The next intended appointee is a member of the Ontario Rental Housing Tribunal, Dennis McKaig. Mr McKaig, you may come forward, sir. I think you're familiar with the fact that you have an opportunity, should you see fit, to make an initial statement, and then each of the parties represented has an opportunity to question you, in the case of the two opposition parties,

for 10 minutes, and for the government party, whatever time you leave.

Mr Dennis McKaig: I have prepared some notes. Good afternoon and thank you for allowing me the opportunity to appear before this committee today. I hope to provide you with some background information to assist you in your decision later today respecting my suitability as an appointee to the Ontario Rental Housing Tribunal. I trust you have had access to and the opportunity to review my resumé. I'd like to put before you as many of my life experiences and educational accomplishments as possible, but I want to leave time for your questions as well.

The tribunal has issued a document outlining the selection criteria. I feel it's a good guide, so I'll try to fit my experiences into that template. The eight points outlined in the tribunal criteria are: (1) judicial and decision-making skills; (2) legal, technical and program knowledge; (3) highly developed interpersonal skills; (4) demonstrated communication skills; (5) ability to determine priorities and work under pressure; (6) conformity with conflict-of-interest guidelines; (7) ability and willingness to work flexible hours and travel; and (8) participation in ongoing performance review, evaluation and improvement programs.

With respect to the first issue, judicial and decision-making skills, I've had no formal training in the legal profession with the exception of my high school law course many years ago back in Dresden, Ontario—a course, I might add, that I aced. However, I have had exposure to quasi-judicial proceedings, namely the grievance settlement board, as both a witness and representing agent for parties before the board. I've also appeared as a witness for the crown in my course of employment with the Ministry of Health.

For the last nine years, I've been president of the Ontario Public Service Employees Union, local 147, representing paramedics and emergency medical communicators in southwestern Ontario. This position of responsibility has given me a great deal of experience in mediation and adjudication. Representing members on grievances has provided me with the ability to deduct relevant facts and apply legal and contractual concepts to complicated cases.

The selection criteria stresses the ability to use common sense and the concepts of natural justice to make decisions in an expeditious manner. I truly believe I possess those qualities.

Regarding number 2, the legal, technical and program knowledge: when I was notified about the upcoming interview with the chair and the two vice-chairs of the tribunal, I was sent a large package of relevant background information. Included were all current landlord-tenant legislation, the Statutory Powers Procedure Act, and other ancillary regulations, guidelines and forms. I've read this information as thoroughly as possible and have familiarized myself with the principles and the spirit of the legislation. I feel I have a good understanding of how this tribunal operates.

My dad, Mel McKaig, taught me respect for tenants when I was growing up. My father had three or four rental units over his furniture store in Dresden. He was always fair to his tenants, and I learned from his practices.

However, my background, specifically with respect to landlord-tenant matters, is predominantly on the tenant side. In the early 1990s, I had the privilege of serving as president of the London Towers Tenants Association. As an executive, our greatest accomplishment was obtaining 75-year leases for existing tenants. This was at a time when the stability of residency was threatened by condominium conversions in London. Originally, a lifetime lease was sought by our group, but at that time the courts ruled in favour of a quantifiable term; hence the 75-year lease. There are still tenants enjoying this protection today. It was during my term as president that I learned the most about the principles of landlord-tenant law. I felt it very rewarding to help fellow tenants in this and other matters respecting tenant rights.

Highly developed interpersonal skills and demonstrated communication skills: I have worked over the past 22 years in what I refer to as caring professions. My career path started as a licensed funeral director and later as a part-time paramedic and full-time communications officer with the Ministry of Health. In all these positions, I have had the opportunity to deal with individuals in crisis at the most difficult times in their lives. These are the times when diplomacy, tact, discretion and sensitivity must be exercised. If it takes a little longer to ensure that a grieving family or a patient fully understands the circumstances and choices available to them, then so be it. These are the same traits that I envision being helpful with those appearing before the tribunal.

My post-secondary education at Humber College and the University of Western Ontario has instilled in me the importance of communications. Additionally, I've taken a course in communicating in a diverse workplace dealing with cultural and ethnic communication issues. When I was contacted by the minister's office regarding this appointment, I was attending a human rights symposium in Vancouver sponsored by the Canadian Labour Congress.

1400

The ability to determine priorities and work under pressure and the ability and willingness to travel and work flexible hours: I hope it is evident to the members of this committee that as an employee in emergency health services for over a decade, I would be proficient in determining priorities and working under pressure. Ambulance communications is a high-profile, stress-filled workplace where life-and-death decisions are made several times during a shift. Recently I filled a supervisory role for a communications centre with a seven-county catchment area.

Additionally, I was fortunate enough to have been elected to the OPSEU/OPS bargaining team for the last round of negotiations in 1998-99. This too was a high-pressure work environment requiring proper prioritiza-

tion and multitasking. The bargaining unit often extended past midnight in the meetings.

My work with the union has required extensive travel, especially to Toronto. I have no hesitation in continuing this practice as required. After many, many years of shift work, the only difficulty I can foresee is adapting to a business hours work schedule, but I'm certain that I can adapt.

Conformity with conflict-of-interest guidelines, number 7: I have thoroughly read and understand the conflict-of-interest guidelines. These are similar to the conditions of my employment as a public servant. I know of no conflict of interest, real or perceived.

Finally, participation in ongoing performance review: last month I participated in a performance development plan course. This initiative of Management Board applies to all public servants up to and including senior management group level and deals with ongoing performance issues, evaluations and improvement programs. I'm willing to participate in this type of program as it relates to the position of adjudicator with the Ontario Rental Housing Tribunal.

In closing, I want to thank the members for their time today. I hope the information that I have provided answers many of the questions you have, and I welcome any further questions at this time.

The Chair: Thank you very much, sir. We begin with the government caucus.

Mr Mazzilli: Thank you, Mr McKaig, for coming today. Certainly, I believe that you will do a good job on this tribunal. On your first point, about the adjudicating role of this tribunal, often people without certain experiences will bring their own perspectives into the interpretation of legislation, and obviously any decisions that you make can be appealed. So often again we see tribunals at times that will be influenced by their own thought processes as opposed to the legislation itself. Would you ever allow that to happen?

Mr McKaig: I would look at a case before the tribunal based on the evidence, based on the facts that are presented and based on case law that has transpired before as it relates to the act predominantly. There is always going to be a twist and a kink that may require a member to go out on a limb, but I don't think I would do that without conferring with other members on the tribunal.

Mr Mazzilli: Very good. That's my only question.

Mr O'Toole: Thank you very much for bringing your name forward. It's a pleasure to meet you and review what you've done. Looking at some of the comments you've made with respect to the role of the tribunal in adjudicating disputes, you did indicate very clearly an advocate kind of role throughout life—that's the way you've kind of put it—as a funeral director, ambulance attendant and currently president of your local of CUPE. Those also indicate strong leadership abilities. Dispute resolution is really, I suppose, part of the tribunal process, but it's to hear the evidence as presented. The advocate role may not be the most important role other than to be fair and impartial. As you know, there are always

other parts to the story, even in the official court issues where who interprets the information becomes more the issue. So you don't think you'd have a problem with the objectivity in the role at all?

Mr McKaig: None whatsoever. I take it on a per-case basis and deal with the evidence that's presented.

Mr O'Toole: We hear at the constituency level—I know it isn't unique to any party—lots of problems from landlords and tenants. There's such a low vacancy rate pretty well, it's a huge issue. People move for whatever reason and there is rent control. Despite what people say, there are guidelines. It's 2.9% or 2.6% or whatever it is this year. When the press says there's no rent control, that's completely a communications gap, as you said before, because there is rent control; there are clear guidelines.

What would your sympathies be with a case where they haven't paid rent for five months and they're trying to get an eviction? I have one case now where the sheriff has up to 10 days in addition before they actually execute the order. Do you think the landlord should continue to pay the utilities and continue to pay the rent?

Mr McKaig: No. The tribunal is there to protect both sides. Certainly as a businessman—and I came from a business background. My father was in business, a small businessman. These people's livelihoods depend on the income.

Mr O'Toole: That's why rental properties are not being built. That's why they're only building condos in Toronto. Nobody wants the onerous oversight. There has to be fairness, no question about that. Again, it's important, like you say, to review each case.

How about the time commitment? Are you a full-time union president?

Mr McKaig: No, I work full-time for the Ministry of Health.

Mr O'Toole: Yes, I know, but you're also the president of the local. Is that full-time?

Mr McKaig: No. It's just a volunteer—

Mr O'Toole: What they call off-time?

Mr McKaig: That's right, yes.

Mr O'Toole: How much more time do you actually have?

Mr McKaig: Actually, I'll be resigning from that position.

Mr O'Toole: Because this could be, in fact—is this full-time?

Mr McKaig: It's a full-time position, sir.

Mr O'Toole: So you would be resigning. Would it be a leave of absence?

Mr McKaig: A leave of absence from the ministry for the term of the appointment.

Mr O'Toole: This pays more, or what?

Mr McKaig: Yes, it does.

Mr O'Toole: That's good. Thanks.

The Chair: Thank you very much, Mr O'Toole. The time has expired, because we subtract from the government caucus the amount of time that the applicant takes. I was going to say something but Mr Mazzilli reminded

me that I was the Chair of the committee. Thank you, Mr Mazzilli, for your kind reminder.

Mr Mazzilli: Always willing to help, Mr Chair.

The Chair: Thank you. Now we go to Mr Crozier for the official opposition.

Mr Crozier: Thank you and welcome, Mr McKaig. How much does this position pay?

Mr McKaig: It's \$68,000 per annum.

Mr Crozier: What does your current position pay?

Mr McKaig: With overtime, last year about \$49,000, by the time I had my overtime calculated in.

Mr Crozier: That's great. Who did you approach to get this appointment?

Mr McKaig: I sent a resumé to Bob Wood several years ago after seeing the ad from the secretariat on the government Web site. I gave it to Bob Wood's office, to the board on my behalf.

Mr Crozier: Do you think it helped that Bob Wood put it forward, like a former witness before the committee for whom Cam Jackson did it?

Mr McKaig: I can't speak on the former witness.

Mr Crozier: Or the one immediately before, who was a provincial PC? Do you think that helps?

Mr McKaig: I approached Bob as my member of provincial Parliament. I was a constituent of Bob's at that time. I didn't work on Bob's campaign, but I did submit the resumé to Bob. Did it help? I don't know. I've waited three years for an opportunity.

Mr Crozier: That's a long time.

Mr McKaig: It is.

Mr Crozier: You said that you have a meeting scheduled with the chair and the vice-chair. When is that meeting going to be?

Mr McKaig: No. When I had my interview back in May, I was interviewed by the chair and two vice-chairs on my suitability as a candidate.

Mr Crozier: Do you know how many others they interviewed?

Mr McKaig: No, I don't.

Mr Crozier: No idea?

Mr McKaig: No.

Mr Crozier: In an article in the Toronto Star just yesterday it said, "In Toronto, families and couples are now the fastest growing groups of emergency shelter users, according to the city's 2001 report card on homelessness." It was in a broader article that talked about the difficulty specifically in the city of Toronto, but also across the province, when it comes to affordable rental housing. I emphasize that I'm not saying "subsidized," but just simply affordable. What do you see as government's role, if any, in seeing that there is affordable housing in Ontario?

1410

Mr McKaig: I think it's a role that all three levels of government must participate in: municipal, provincial and federal government. It's not solely or even primarily the jurisdiction of the tribunal to make that type of housing available or to guarantee that.

Mr Crozier: No, nor did I suggest that. I'm just asking your opinion.

Mr McKaig: I agree that the three levels of government should play a concerted role in providing affordable housing.

Mr Crozier: What role should the municipality play?

Mr McKaig: Currently there's a municipal housing stock, and I think they need to maintain that and, where possible, expand it.

Mr Crozier: But that's subsidized housing.

Mr McKaig: Yes.

Mr Crozier: The municipality has total responsibility for that now. So where do you see the province and the feds playing a role?

Mr McKaig: I suppose on municipal taxes. I suppose there could be changes in municipal taxes that would allow for encouragement of building and things like that.

Mr Crozier: Again, any allowance in municipal taxes would affect the municipality more directly.

Mr McKaig: Yes, and that's why I said "the municipal role." You're asking about the provincial and federal roles?

Mr Crozier: Yes.

Mr McKaig: I suppose tax credits and things like that as well.

Mr Crozier: The federal government, after having moved away from this issue, is now suggesting that it should get back into it. Do you think the province should play a role in that as well? Well, you've said the province should play a role.

Mr McKaig: I agree. I think, as I said, all three levels of government need to be involved in maintaining this.

Mr Crozier: So you wouldn't agree with the current position of the province, where it's not going to participate in that?

Mr McKaig: I don't know.

Mr Crozier: Well, you said the province should play a role, but you won't say that you disagree with the province in not playing a role.

Mr Mazzilli: Mr Chairman?

The Chair: Yes, sir?

Mr Mazzilli: We go through this continually. These are general opinions.

Mr Crozier: I hope the clock is stopped.

Mr Mazzilli: It's not the proper line of questioning for a witness, on broader views of what one may think about a specific issue. The witness has answered the question to the best of his ability.

The Chair: Actually, I like to use as much flexibility as possible, just as I did with Mr O'Toole when he was asking a number of questions that some on the committee might have said were a bit off the beaten track. I thought it was interesting for him to be able to ask those questions and get a reaction from the individual. So I'll try to watch that carefully, but it is good to hear some of the views when they're making judgments.

Mr Crozier: We've gone through this before, Chair. Mr Mazzilli thinks he's the conscience of the committee. He has even reminded people who have come before the

committee that they don't have to answer any questions. You're not sworn to anything here. You can tell me to stick it, if you want. But I do like to know, generally speaking, how people feel about these things, because it affects some of the decision-making process. It isn't black and white, straight and narrow, if I might say. Our life experience, for gosh sakes, may have some influence on how we make decisions. So if there's anybody I don't need any suggestion from on how I should have my line of questioning, it's from you, Mr Mazzilli, thank you very much.

Now, sir, now that we've gotten rid of that tension between the two of us, I'd like to get back to you, because you're going to be performing a very important role, and I think you realize that and acknowledge that. Various governments have tried to bring in legislation that's fair to both landlord and tenant, and it's not easy. That's where I'm going to depend on people like you to take those laws and interpret them in a fair way. It was suggested earlier that a decision of the tribunal can be appealed, and you may have seen me check with our research. I'm told it can be appealed on a point of law but not on fact, and you're going to deal with a lot of facts that are not going to be easy to deal with.

So I wish you well in your appointment. I hope you're able to take the legislation that's there, that's intended to be fair but always seems, one way or another, to get slanted, and use it in a fair and judicious way, notwithstanding what Mr Mazzilli may have thought I was trying to get at.

The Chair: We now move to the third party. Mr Martin.

Mr McKaig: Good afternoon.

Mr Martin: The government changed the act that governs this relationship in the province in 1997. Why do you think they did that?

Mr McKaig: That's an interesting question. I think they responded to the public. The public had asked for a government to set policy, generally, and I think the government took the feelings of the constituents at that time and changed the legislation.

Mr Martin: They were certainly contentious, and there were groups who felt very strongly that the government was caving in to a group in the province who wanted more freedom to make more money. Of course the other side argued that with the very restrictive regime that was in place, no new housing units would be built because there was no opportunity for a return on investment. What side of that pendulum would you fall on, in terms of your view of where we should be, where we were and perhaps where we are now?

Mr McKaig: I think it's a little premature at this point to say this legislation is good or bad. It's been a few years, and I don't think all the statistics are in at this point. However, my position is not to comment on whether a piece of legislation is good or bad, or to come down on one side or another of the philosophy of the legislation. My position, should I be successful as a candidate, would be to adjudicate based on the law.

Mr Martin: I guess what I want to get is a sense of your attitude, what view you would bring to that decision. We're all affected in many ways by our experience, by our understanding, by our view of a particular circumstance and situation.

There has in fact been some review or study done of the impact of the changes since 1997, which indicates that where it was projected there would be more affordable, low-rent housing stock, it's not happening. The report that was referred to by Mr Crozier a few minutes ago, which was in the paper just yesterday and which we all saw on television last night if we were watching the news, indicated that people living in rental units are now spending more of their income on housing than those who own their homes, and that's primarily because the cost of housing has gone up for renters. In your capacity, as somebody who will make decisions that will affect that very reality for a whole whack of people in this province, does that cause you any reason for thought?

Mr McKaig: I haven't seen the study from yesterday that you referred to, and it would be interesting to see that. I think you made reference to the percentage of your income that you are moving into the housing side of your personal budget, that it's going up at higher rate for renters than for homeowners. Of course I don't have any facts, but I know that my expenses as a homeowner are going up as well—my utilities, my upkeep and things like that. So it is taking a bigger bite out of the disposable income of people. But again, I don't think it's the purview of the tribunal to deal with that.

Mr Martin: If you note that decisions made by the tribunal—because that's ultimately where this comes. If somebody wants to take forward an undue increase in rent, to appeal it, it comes to you, and you have to decide, at the end of the day, which way that will go. Don't you think it would be helpful to you in your work to be looking at the trends being set, where we are going and what patterns decisions are taking as they are being meted out?

Mr McKaig: There is a ceiling, as you're aware, and then there's an appealable level beyond that for capital repairs and things like that. I think I would have to look at the facts that are brought forward and judge it solely on the evidence that's presented to the tribunal.

1420

Mr Martin: It's also been pointed out by some of the folks who take an active role in trying to monitor the availability and the circumstance for people who find themselves in need of low-rent or affordable housing that decisions that are now being made by the tribunal you are looking to be appointed to are being made much more quickly when it comes to the landlord bringing forward a complaint than a tenant bringing forward a complaint. Do you have any thoughts on why that might be?

Mr McKaig: I have seen that. I don't know why that is, if in fact it is. I understand there is a tremendous backlog of cases before the tribunal. I would hope to attack that in a vigorous manner, notwithstanding who filed the complaint, landlord or tenant.

Mr Martin: I assume you've noted that we have a huge problem, particularly in Toronto, in the area of homelessness and people not having homes, and that has increased substantially in the last five or six years, in this city in particular. It's concluded by a lot of people who know that that's due to a lack of available affordable housing and the rising rents that are now being imposed, particularly since the change in the act in 1997. Will that reality have any impact on any of the decisions you will have to make in this role?

Mr McKaig: No, I don't think so. I'll be appointed to the southwestern Ontario area. While I understand there are issues that are of greater frequency in Toronto, I think the issues are the same across Ontario, perhaps in smaller numbers in the smaller centres, but maybe the percentages are the same.

Mr Martin: I suppose that is a view; however, we read recently that Toronto is now beginning to ship its homeless population out to some of those regions. In fact, I was in Elliot Lake in June, presiding over a forum on poverty, where it was indicated to us that a number of people are arriving in that community, because it's setting itself up as a retirement community because it has low-cost housing. But of course the support services aren't there to provide the help these people need to settle in, and there's no work to speak of in those areas. It seems to me that on one hand it's convenient, I guess, to say it's a Toronto problem. I suggest to you that initially the Toronto problem is one of trying to deal with people who have left these other communities because they can't find affordable housing there. They're now being sent back, and I would guess that what Toronto is experiencing now, if that's the trend and the pattern, other communities will begin to experience as well.

Do you have any thoughts on how we might deal with or resolve that very difficult issue?

Mr McKaig: I think you made reference to the supports in these communities. Are you talking infrastructure: hospitals, police, fire, ambulance, that type of thing?

Mr Martin: Yes, all the above.

Mr McKaig: I don't really have a position on that that's relevant to the tribunal.

Mr Martin: You don't see the tribunal, in its decision-making, affecting or having an impact in any way on that phenomenon?

Mr McKaig: No.

The Chair: Thank you very much. If I had a chance to ask a question, I would have asked—and it's something you'll have to deal with, so you don't have to answer mine, of course. I think the challenge all of us who represent particularly urban areas would see is the conversion to condominiums, which is taking away a lot of the rental accommodation and converting it to condominiums. As a result, we're not seeing the same amount of rental housing. But that's something you'll have to deal with when you're there perhaps. It's always a challenge for everybody who has to deal with it. Some of us who served municipally probably had to deal with

that before, and now it may be dealt with at various levels.

Thank you very much for coming before the committee.

PETER NIKIC

Review of intended appointment, selected by official opposition party: Peter Nikic, intended appointee as member, Early Years Steering Committee of the Ottawa-Carleton Regional Health Unit.

The Chair: Our next intended appointee, as a member of the Early Years Steering Committee of the Ottawa-Carleton Regional Health Unit, is Peter Nikic. Welcome to the committee. You have had to come some distance. Whatever mode of travel it was, it wouldn't necessarily be cool.

Mr Peter Nikic: Well, I drove with the air conditioning on.

The Chair: Everyone would forgive you for that today. Even the most ardent environmentalists would forgive you for that today.

As you know, you have an opportunity, if you choose to do so, to make an initial statement to the committee. Subsequent to that, each of the political parties represented has up to 10 minutes to ask you questions they deem appropriate, and you may give whatever answer you deem appropriate.

Mr Nikic: I would like to introduce myself. My name is Peter Nikic. I'd like to thank all of you for giving me this opportunity to tell you a little bit about myself and why I feel I would be a good nominee to sit on Ottawa-Carleton's Early Years Steering Committee.

I grew up in St Thomas, Ontario, and after high school I left St Thomas to attend the University of Ottawa. After graduation I worked for several members of Parliament in various capacities over several years. Finally I decided that the political life was up and down and helter-skelter, so I decided to settle down and get married in September 1996 to my wife, Jeanne.

After getting married, I started up a small consulting business, and one of my principal clients over the last close to five years has been an industry association. One of the most valuable lessons I've learned working with the association is working with its national advisory panel. This panel sits about three times a year and comments, critiques and commends various industry initiatives. It's comprised of people from all walks of life who are concerned about their communities and care about how industries act. Seeing how these folks work with industry has taught me how stakeholders need to work together, which leads to less confrontation and more progress.

Last December my wife, Jeanne, and I had our first baby, a baby boy named Marko, and it's been a whirlwind ever since. Parenthood can be pretty overwhelming. We've been fortunate enough to have great families who have helped us tremendously over the last eight months.

However, I understand there are many people who do not have the same level of support.

A couple of months ago I was contacted by the office of the Honourable John Baird and asked if I would be interested in sitting on the Early Years Steering Committee. I looked over the Web site and went through some of the literature, discussed it with Jeanne and thought this was a worthwhile initiative and one I would be proud to participate in. I hope I can bring some of my experiences—past, present and future—to the table and give a parent's perspective. Thank you.

The Chair: We will begin in this case with the official opposition, and that will be none other than Mr Crozier.

Mr Crozier: I referred earlier that besides Mr Martin, I had driven the farthest to get here today, but perhaps you've beaten me by a little bit. Sorry to bring you into Toronto on such a hot day, but we didn't know it was going to be like this when we first set up the committee.

I want to acknowledge that before coming to the committee this afternoon I was going to refer to what you had put down as your interests and ask why early childhood doesn't appear as one of those interests, but I think you've answered it in that you and your wife have a young child. Obviously, the effect this committee is going to have in the not-too-distant future is going to be not only of general interest to you, but you'll have a vested interest in it. Have you had an opportunity to look at the responsibilities of the Early Years Steering Committee and what its responsibilities are and what its mandate is?

1430

Mr Nikic: I've had a look at them, yes.

Mr Crozier: Is there any part of that mandate that is of particular interest to you?

Mr Nikic: If I could go back to my interests, I think on my resumé, basketball is pointed out as one of my interests. I have coached senior boys' high school basketball for about three years. The last couple of years I have not, due to work circumstances and my wife's pregnancy last year; it wouldn't have been fair for me to be at the gym shooting hoops with kids.

Mr Crozier: What do you think of those Raptors these days and some of their acquisitions?

Mr Nikic: If I knew \$94 million was in the offing, I would have kept in better shape over the years.

With the responsibilities of the committee, I think a steering committee can do a good job of assessing some of the projects that come forward. Mine is one of 10 perspectives that can be put forward. It's important to have community buy-in to any project that comes along, so I think this is a good forum for any community to have.

Mr Crozier: Part of this committee's responsibility is going to be as a kind of outreach to the community, to get the community involved in the process as well. I'm just curious and I'm not expecting that you should have a knowledge of all of this, but do you have any sense of the need for daycare, for example, in the Ottawa-Carleton area? Is it a significant issue?

Mr Nikic: Just from what I've heard and read over the last few years. My brother has a four-year-old boy here in Toronto and they went through the daycare route. They had to look for a daycare centre, and I believe Matthew was in daycare at a local school close to the mother's house. Our son is in a home setting right now because my wife works and we were fortunate enough to know of a woman who takes in about three or four children at a time and she can give some good-quality care. We've known these people for several years. So we've been lucky in that sense. I haven't had to go out and look for daycare centres for our son, not this time around, but possibly in the future I will have to.

But I do understand there is a shortage of daycare. I don't know the reasons for that. There could be licensing reasons, there could be space reasons, there could be money issues, but I'm not familiar to a great degree.

Mr Crozier: It's painfully obvious that I haven't had to go out and look for daycare for some years, either. In fact, I'm almost getting as decrepit as Mr O'Toole, by the sounds of things. My recent experience is with a grandchild, and my daughter and son-in-law have said—and it's regulated daycare that they're interested in—that having applied a year ahead of time in the city of Toronto, they are not going to be able to get regulated daycare. So there is a significant shortage, probably for all the reasons that you mentioned—funding, licensing, usually a number of issues.

Certainly this is an area of responsibility that you're going to have to look at very carefully. I have to admit that normally in this line of questioning my colleague, Ms Dombrowsky, is far better versed than I, but she wasn't able to attend the committee today. The best I can tell you is, keep an open mind and keep the kids in mind. I wish you well in your appointment.

The Chair: We will now go to the third party.

Mr Martin: Good afternoon and thanks for coming. You're certainly looking for appointment to a very important body in your community, particularly if it's going to live up to the expectation that I think some have out there when you look at some of the communications that have gone along with the establishment of this initiative.

You've mentioned that you have a child of your own, a child who has taken advantage of some of the services that are available out there to make sure that children get a good start. The Education Improvement Commission released its final report last year and recommended a program of universal daycare and full-day junior and senior kindergarten across the province, something that's happening in some other provinces in the country. The present government in Ontario is fairly cool to that. What would your position be on that?

Mr Nikic: I'm not an expert on educational programs, but I think children's education always starts at home. I believe the mother and the father ultimately are the ones who help the child make it or break it.

My mother once said to me, when we were having an argument over which high school I should attend, "It

doesn't matter which high school you attend, it's you as a student who makes the difference." I don't know whether or not sending a child to school at the age of three and a half or four for a full day is the best thing to do, but I'm sure there are countries that do it and they say it's a good thing to do. It's something we should look at and not dismiss out of hand.

Mr Martin: There are certainly experts out there, including Fraser Mustard, who was commissioned by this government to report back on where they should be going in this area, who suggested that all of the studies say that those who start school early usually do better later on. So if we're interested in making that investment in our future, and our children are our future, I would suggest it would make sense that they be given every opportunity. Particularly in today's world, where in many instances both parents work and come home from work every day fairly tired, it seems to me that we should be doing everything we can to provide that support for children in those families.

It also says here that in some provinces there is particular support given to full-time junior kindergarten and kindergarten to students with special needs. Would that be an area that you think this government should be looking at and perhaps investing in?

Mr Nikic: I definitely think there's a reason we say, "students with special needs." I can recall from high school that we had students with special needs. Some people were trying to put them in with the regular kids and one of the things I found was they weren't getting the attention they needed. I think it's important that students with special needs get special attention, whether it's longer in school, over more years, or more classroom time or more help from teachers. It's important that students with special needs get those services.

Mr Martin: I also have a concern where the issue of poverty of children is concerned. It's been pointed out in some of the studies that have been done that with the reduced amount of money in social assistance going to some of our poorer and more at-risk families by some 21% very early on in the mandate of this government, and then as we read in the news yesterday and last night, the continued pressure on some of our poorer families—those who rent their home—to provide more and more of their income for housing, that we have a serious problem of poverty on our hands. You mentioned just a few minutes ago that the most important place of learning and support for children is at home. It seems to me we should be looking at the kind of supports that we give to families to look after themselves and their children.

1440

I was over in Ottawa about a month ago doing a forum on poverty, and I suggest that it's there. But if it becomes obvious to you that poverty is an issue in your community, would you be willing to recommend with your group that this government look at the question of the income of some of our poorer and more vulnerable families?

Mr Nikic: I think it's absolutely important to look at how we help those who don't have the same opportunities that we may have. I think that raising income levels across the board or raising assistance levels across the board is not necessarily the way to go, but I think that's a separate topic that we could debate for hours.

Going back to your question about poverty, we're all facing difficult times. Poverty hits all of us in different ways. You define it in terms of income. I look at poverty and what my child doesn't have in terms of how much time we get to spend with our baby, the activities that we can do. We're all working harder, longer days with less time off, and I think that's affecting the next generation. It's having an impact on them. What I would like to do in my future is to help or try to make things better so that people can spend more time with their kids, whether it's a block of time or coming home at an earlier hour, because it's important to spend time with your children.

Mr Martin: OK. You make the comment that giving people more support financially so that they can pay for the things they need to make sure that their children aren't living in poverty is not necessarily the way to go. I'd be interested in knowing what is your idea of the way to go. What should we be doing? Because we have children in this province—and this is reinforced by some of the children's services organizations who spoke to the McCain-Mustard commission, saying that they're seeing more children who are going hungry. I think that's something that we can measure very readily. I would hope that you would see and believe that children hungry is not something that should be acceptable, and it's certainly an indicator of some degree of poverty in a home or in a community. There is an increase in the number of children being taken into the care of the children's aid societies.

I was meeting with the executive director of our own society in Sault Ste Marie yesterday, and he's indicating that they're going to be well over \$1 million in deficit this year, just trying to deal with the increasing numbers of people they're having to deal with now. Does that not indicate to you that we have a problem?

Mr Nikic: There's a problem, and there are different ways to solve it or to address it. I think one way could be to look at the people who are getting social assistance, because I believe there are people out there getting social assistance who do not need it or should not get it. The people who do need social assistance should be given more money so that they can survive, because it is tough out there. Inflation is everywhere. We read in the newspapers it's at point this or point that, but in reality, our dollars are doing less and less, so it's affecting all of us.

Mr Martin: I guess I'm happy to hear you agree that there are some families out there who need more and who should get it. Many of us have been saying that for quite some time. The problem is they're not getting it. This government seems to have the mindset that if you're poor, it makes sense to have somebody else making decisions about where the money you need should be spent, and so we have a proliferation of breakfast pro-

grams and food distribution operations because they're needed. But it doesn't seem to be acceptable that if a family is poor, you give them the money they need to feed themselves. What would your position be on that? Is it more important to give a family the money they require to feed their children at home or should we be feeding their children someplace else?

Mr Nikic: I think we should be helping them to feed their children at home and not taking over their responsibilities. How do you do that? Is it through more social assistance? Is it through work programs? Is it through education programs? I think there are a lot of things that all governments should be doing to help people try to get onto that same level playing field. I go back to saying that the playing field is not level for any of us; it's difficult for everybody out there.

The Chair: Thank you very much, Mr Martin. Your time has expired. Anyone from the government caucus?

Mr O'Toole: Thank you, Peter. I always like to pay respect to people who come forward to serve the public, whether elected or in this capacity that you're applying for here. Also, with respect to the members of the committee, Mr Ouellette has, I believe, two young children, Mr Mazzilli has one older child and, just recently, twins, I am a parent of five and Bert is the parent of three children.

With this whole issue of where the resources are spent and how they're spent, we've got to make sure they get to the children. That's the most important thing. I think this whole concept—I'd like you to comment on these resource centres as they're described—is really to build the resources in a community that help families through a number of different strategies, as you've responded to Mr Martin, this government-giving thing. It's a community helping themselves. It's the whole community, as I see it.

Do you support the kind of concept that the Mustard-McCain report advocated? This is a step that Minister Baird is taking, to set up these resource centres for families from a variety of needs, those wishing to volunteer, those needing help, those who may be single, those who may be lacking all sorts of parenting skills. That's not unique to poverty; it's probably just a surprise for some. But I know families today do need supports and they vary by community. I just think of the way you've presented yourself here as being a coach previously and I see other community involvement things here. How important do you think these resource centres really are for keeping the family strong?

Mr Nikic: I think they're a great tool for families to have. When Jeanne came back from the hospital, I was woken up at about 2:30 in the morning by a crying baby and a crying mother. She was in some pain and she had some difficulties. I was on the telephone frantically screaming at some poor nurse at the hospital, begging for help. I didn't know who to turn to.

I think it doesn't matter what government programs or centres or anything like that you've put together. One of the important things I'd like to work on in this committee is to make sure that people know about them so they

know who to contact—the public health nurses, other organizations that are out there. This could be a good resource for people who are new to parenting or new to the country to contact and have someone there they can turn to.

As I said, not everyone is as fortunate as we are to have grandparents close by or a brother who's gone through it or a sister who's gone through it or a friend, to pick up the phone and call up and ask them, "What did you do when this happened?" A lot of people don't have that. So I think these centres are important, as is communicating that they're there as a resource for people, regardless of whether it's a phone call or some assistance or a helping hand, just to point out where to go to get some help.

Mr O'Toole: I appreciate that response, because our needs and resources for a variety of reasons—I sort of think back as I describe us. I know we all come from a generation, perhaps, I could say in my case, where I'm wondering, with five kids—I mean, we did it. I know it's changed. Do you understand? People like to know why what you've just described as young, new Canadians, perhaps single—the world has changed. I was accused of being Ward Cleaver some years ago and I'm sort of out of it, I guess.

Anyway, I see in your resumé here—and I just want you to comment—that you did say the importance is to educate the people and communicate with people. You have a radio show. Do you still have that radio show?

1450

Mr Nikic: Yes, my wife and I do.

Mr O'Toole: You produce it? What is it? Is it an ethnically based show?

Mr Nikic: It's a Croatian radio program that we started two years ago.

Mr O'Toole: Good for you.

Mr Nikic: We do it once a week at Carleton University. It's a non-profit radio facility.

Mr O'Toole: Excellent. That would be an important part of this role, I would think, the communications component. Do you see it that way?

Mr Nikic: Communications in most circles is always looked at as sort of the last thing to check off on a project checklist. From my background, it's always the most important thing because if you can't communicate what you're doing and what you've done and what's there, you could have the best program set up, but if no one knows about it, they won't use it.

Mr O'Toole: Good luck to you, Peter. Thanks.

The Chair: Thank you very much, Mr Cleaver—sorry, Mr O'Toole.

Thank you very much, sir, for being with us today. We know that it was a major trip in. We always like to see people come before the committee. We hope you got enough lead time to be able to know what the committee is about and so on. We appreciate your appearance. We will deliberate on this later on in the day and make a decision.

RENÉ ROBERGE

Review of intended appointment, selected by official opposition party: René Roberge, intended appointee as member, Ontario Parole and Earned Release Board, Eastern Region.

The Chair: Our next intended appointee is René Roberge, who is an intended appointee as member, Ontario Parole and Earned Release Board. This was formerly known as the Board of Parole of Ontario.

Welcome to the committee, Mr Roberge. As you are aware probably from watching previously, you have an opportunity to make an initial statement, if you see fit, and then you will be questioned by members of the committee and they will ask almost whatever question they wish and you can give almost whatever answer you want. Thank you very much, sir, and welcome to the committee.

Mr René Roberge: Thank you, Mr Chair, and members of the standing committee. I'd like to introduce my wife, Laura, who is here to support me today.

I'm happy to be here and have the opportunity to appear before this committee. In fact, it's an honour and a privilege. My name is René Roberge. I'm 63 years young and live in a beautiful town one hour east of Toronto called Cobourg.

I suppose this appointment came as a result of my involvement with the ex-chief of police of Cobourg, Mr Dan McDougall, who is, I might say, a part-time member of this board. Both of us have been involved in some private investigation and security work. I have a private investigator's licence. He and others may have been instrumental in initiating this appointment.

My wife and I have been involved in the community for some years. My wife is a survivor, a member of Survivor-Thrivers, an organization dedicated to raising funds for cancer research. She is president of the Cobourg-Port Hope Real Estate Board. We are chair of the Northumberland United Way and members of the Cobourg Rotary Club. I served as president of Mississauga Rotary in 1988-89.

My business career includes working for the Americans as a marketing director for Brunswick International, which is today Mercury Marine in Mississauga. I moved to running trade shows and special publications for Maclean Hunter and finally served as executive director for the Canadian Sporting Arms and Ammunition Association for over 10 years. This involved a number of properties, including the very successful trade show and magazine publications. I retired from that position over two years ago.

In all of this and over time I have found that I enjoy and am successful at interaction with people. I am efficient, organized and detail-oriented and I believe in thorough follow-up. Part of my responsibilities include supporting my wife's successful career in real estate by maintaining her Web site and her marketing programs. My languages include French but my language of choice is English. Je parle français, mais ma langue préférée,

c'est l'anglais. I am also computer-literate. My background is from the school of hard knocks in business and personal challenges. I am confident that my experience and abilities can make an immediate and valuable contribution to the parole board. I would be happy to answer any question that the committee may have.

The Chair: Thank you very much, sir. I believe we start with the third party this time.

Mr Martin: Good afternoon, Mr Roberge. Thanks for coming today. Why would you be interested in an appointment of this sort at this time?

Mr Roberge: I've always been somewhat interested in the criminal justice system and at times I have criticized it but have never been in a position to really do anything about it. I don't know that much about it but I always felt that some additional programs may be considered. So being involved with Mr McDougall, who is a part-time member, although it's a confidential matter, he has indicated to me that it is an interesting appointment and that he felt I would do a very good job in it. That's how my interest came about.

Mr Martin: You've indicated in your answer that you've been critical of the system but have never been able to do anything about it. Do you see this as an opportunity for you to act on some of the criticisms that you have of the system?

Mr Roberge: Yes, to a certain extent. I might add that I'm not a member yet and only realized that my appointment came through a couple of weeks ago. I received a lot of information which I haven't been able to digest completely, but I would look forward to the training program to find out exactly what is involved and see if my criticism is justified.

Mr Martin: Do you understand the difference in role from, say, somebody like ourselves who act at a legislative level to set rules and regulations, and the role of somebody on a board such as this who has to work within very strict and limited parameters? Do you understand the difference between those two functions?

Mr Roberge: Between strict parameters that I have to work within?

Mr Martin: Yes. What is your understanding of the role of the board?

Mr Roberge: The parole board?

Mr Martin: Yes.

Mr Roberge: As I understand it, the offenders who have served their term have an opportunity to appeal or to receive parole. The parole board is designated to investigate the information that has been provided on that offender, what that offender has done in order to improve himself over the course of his incarceration, and evaluate whether this person is qualified to go back or to be paroled.

Mr Martin: I'm suggesting that maybe your criticism that you first indicated of the system might be that you thought in the past parole boards were perhaps too lenient?

Mr Roberge: To be green about it, I think everybody thinks that way, particularly with the type of media that

surrounds those offenders who reoffend. They become rather sensationalized and the public only hears about that kind of thing. But having read some of the information that's been provided for me, I tend to think that maybe my criticism was not totally justified at this point, only because the reoffenders are really limited in numbers compared to the number of offenders who go on parole, in my opinion.

Mr Martin: So are you seeing this appointment, maybe before you read the material that you just indicated you did, as an opportunity for you to correct what you saw as a soft, too lenient system? Would I be correct in assuming that's your reason for wanting to be on this board?

1500

Mr Roberge: I'm not sure whether I indicated that the system was soft. I don't know. I just don't know, and I feel that the training, hopefully, will indicate to me where the system actually stands. I would welcome that kind of information, if only to satisfy my own curiosity.

The Chair: Thank you very much for your questions, Mr Martin. We will move now to Mr Mazzilli.

Mr Mazzilli: Thank you very much for appearing, sir. I think this is certainly a very important role, one where you'll certainly have to listen to the facts and make a case-by-case study of each hearing.

But the one thing Mr Martin brought up is the role of government. There have been different perspectives over the years as to the rights of the incarcerated person and the rights of the community or citizens. Many people will say that you have to be able to integrate people back into the system. Certainly you must, but you must do so safely. Some people will say that people who do reoffend, at some point you have to release them. My argument is that at some point you have to earn those rights, and I very firmly believe that.

Some of the cases that we've heard in the media are not sensationalized; they're real. These are people who have reoffended over and over and over again, and then of course you hear that they've murdered someone again. So I don't believe they're oversensationalized. I believe they're very real and I believe that, in most of those cases, the evidence was there for the person not to be granted parole and somehow, through different philosophies, it was granted anyway.

I, through the justice committee, have often been involved in the debates, where some people will come before the committee and insist that the proper thing to do is to release people as soon as possible, under any circumstances, and they'll provide all kinds of statistics to show their argument. I remember one person coming before a committee and saying that in a certain state, where they had a very difficult parole system, the reoffending rate was the same as the system that was much more lenient, shall we say. So their argument was, if your reoffending rate is the same, by taking the tough stance or the lenient stance, there's no difference.

When I asked that person, "How many crimes were prevented in the ones that took a much harsher ap-

proach?" they couldn't answer that: the argument that if you're incarcerated and you are reoffending, then obviously you're going to prevent some crime by doing that, by keeping the person incarcerated. Whether you're preventing a sexual assault on a young child or whether you're preventing a murder is all very real. Of course, they couldn't answer that question, because they had, I will say, rigged their argument on strictly the reoffending rate.

I would ask you on the parole board to think of those things. To me, if you have a reoffending rate that's the same, whether you have a tougher system or a more lenient system, and you have the same reoffending rate, that tells me that some people just can't be helped, no matter what system is in place. I just throw those suggestions out and ask you to keep an open mind on all the different debates that you'll be hearing if this appointment is confirmed at the end of this committee hearing. Thank you very much.

The Chair: Thank you very much, Mr Mazzilli. We appreciate your questions. Now we go to the official opposition.

Mr Crozier: Good afternoon, Mr Roberge. Welcome to the committee.

Mr Roberge: Good afternoon.

Mr Crozier: Do you believe in the parole system?

Mr Roberge: Yes, I do.

Mr Crozier: Good. Would you be interested to know, and perhaps you've read this figure, that the recidivism rate for parolees of reoffending—by its very description—is much lower, in fact more than 50% lower, than the rate for non-parolees? I think you mentioned just a few minutes ago that you thought maybe those who were not paroled—that their history for repeating crime—is not much greater than those who are on parole. Did I hear you correctly?

Mr Roberge: I might have said that.

Mr Crozier: Yes, and yet there are statistics that show that parolees are much less likely to reoffend than are those who are not released on parole. Isn't that an interesting statistic? In fact, it says here that paroled offenders are closely supervised in the community after they're released while offenders who are released at the end of their sentence are not, and I'd never given that much thought before. It perhaps makes sense, then, that those who are on parole are less likely to reoffend than are those who are simply kept in for the total of their sentence and then just simply let go without supervision.

Would you agree that there's no way to be sure that someone released on parole wouldn't reoffend?

Mr Roberge: I'm not sure if I can answer that. I would think that during incarceration if an offender spends his time participating in all the programs that would make him a better person after he has completed his term, that would assist his introduction back into the community. Maybe what we should be looking at is a community involvement with this person coming back into the community and have a second, if you will, phase of parole, where this person might have to go through a

particular program in order to be reintroduced back into the community; maybe not as severe as a parole since that person has already served his term and is recognized as that and has the right to move back into a community.

The position or the appointment that is being offered to me, or I'm invited to attend, really only works at the provincial level. I'm not dealing with the bad offenders, if you will, the murderers, the child-abusive-type person, so fortunately at this point in time I don't have to deal with that. What I have to deal with are those folks who have served two years or less and in my opinion have not done something terribly wrong. To be fair and honest—I'm a Libra—I would listen and look at all the information before I would make any decision as to whether this person is capable of going back into the community, keeping in mind that the public safety is paramount in releasing this person.

Mr Crozier: I'm sure that when you made those several references to "him," you meant "her" too?

Mr Roberge: I'm not sure whether I'd be dealing with the female gender at this point in time, Mr Crozier.

Mr Crozier: Is that right?

Mr Roberge: Perhaps I will; I'm not sure. Nothing in my information tells me that.

Mr Crozier: I suppose that's a good question. I don't think there's a female parole board and a male parole board, so I suspect you will.

Mr Roberge: OK. There was nothing in the documentation to indicate that.

Mr Crozier: No.

1510

Mr Roberge: But honestly, I would say 80% of the folks I would be looking at would probably be male, or maybe more.

Mr Crozier: I don't doubt that.

One of the things the current government announced after assuming office and outlined in their reforms from 1995 through 2001 is that "Conservative appointments to the board are expected to share the government's commitment to public safety." What is that commitment to public safety that you are going to have to share, or do you know what it is at this point? I'll help you. I'm not trying to—

Mr Roberge: Other than reading the mission statements and the vision and things of that nature in the brochures I've received, I think it makes common sense to make sure that public safety is paramount, and that should be kept in mind when dealing with offenders, whether they've served their term or whether they are looking for parole.

Mr Crozier: That's why I asked you at the outset if you believe in the parole system. I don't know how I would deal with the appointment that you're going to receive.

Mr Roberge: Mr Crozier, with all due respect, I don't know either.

Mr Crozier: There are a lot of important jobs in this province, some elected, some hired, some appointed. This is right up there among them. The responsibility that

will be on your shoulders and on other board members' shoulders is, in my view, awesome, notwithstanding the fact that they may be considered provincially lesser crimes. Any crime is, I suppose, serious in the eye of the victim, so in many ways the decisions you will make are just as important as those that are made by another parole board at the federal level. That's why I had to ask if you believe in the parole system. Do you imagine there are going to be times when, having made that decision, you're going to sit back and kind of hold your breath to hope that it's the right decision?

Mr Roberge: Of course.

Mr Crozier: Therein is going to lie the—

Mr Roberge: That's being human.

Mr Crozier: We're interviewing you today to see if we agree with the government appointing you to this position. It's one of those jobs where the only way we'll really know is after you have been there for a while. "Does Mr Roberge make those correct decisions?"

How do you imagine you would feel if you made the decision to parole someone for an assault—they went before a court, perhaps before a jury of their peers, and were convicted on an assault charge. How do you suppose you would feel if then this person comes before you for parole, you look at all the information that can possibly be given to you, you give them the opportunity for parole and they reoffend? Will you feel personally responsible for that? I'm shaking my head because I don't want you to.

Mr Roberge: Having reviewed all of the information that would be provided to me on that offender, if it called for a release, for parole, and the offender reoffended, I would think I can't hold myself responsible for it, only because the information was there. It may be the exception to the rule that this offender reoffends. I might be a tad more sensitive to someone who assaulted someone, if violence was involved in the information that's provided. It would all depend on what the offence is, how much information I can get from the police. We have victims' rights and information from that level, behaviour while incarcerated. All that information, to me, would be adequate to make a decision. If the decision was, "Yes, he's entitled to parole," and he reoffended, then I would have to live with it. But it will happen.

Mr Crozier: It probably will.

Mr Roberge: It probably will happen.

Mr Crozier: Because I think I understand how difficult your job is going to be, I hope, on the other hand, that it wouldn't affect your decision when the next person came before you, or another person came before you in similar circumstances who still needed to have that fair look.

Mr Roberge: Yes. I hope there would be some consultation that would make that process easier to live with if that happened. I suppose there is.

The Chair: Thank you very much, Mr Crozier. Your time has expired, and all time with this applicant has expired. Thank you very much, Mr Roberge, for being with us. The committee will complete its deliberations

some time this afternoon, and I know you'll be notified of the result.

BILL KING

Review of intended appointment, selected by official opposition party: Bill King, intended appointee as member and vice-chair of the McMichael Canadian Art Collection board of trustees.

The Chair: Our next intended appointee, as member and vice-chair of the McMichael Canadian Art Collection board of trustees, is Mr Bill King.

Welcome back to the precinct, Mr King. As you are aware, you have an opportunity to make an initial statement, should you choose to do so. Subsequent to that, there will be questions from each of the three parties represented on the committee. You may commence, sir.

Mr Bill King: Thank you, Mr Chairman. I have a brief opening statement. I'd like to begin by thanking the committee for its interest in my proposed appointment to the McMichael Canadian Art Foundation. I'm very honoured by this nomination and believe I can make a substantial contribution as a McMichael trustee.

For those of you who do not know me, I was employed by the Legislative Assembly for 17 years. During that time I held a number of senior positions in support of Premier Mike Harris's legislative responsibilities. I left the Premier's office in December 1997 to join Hill and Knowlton, Canada. Hill and Knowlton is an international multi-specialist public relations/public affairs agency and is regarded by many as Canada's leader in the business of strategic communications. At Hill and Knowlton, I lead our company's public affairs division, where I'm responsible for our national offering in six offices across the country.

A writer by vocation, I have had a long and personal interest in Canadian arts and culture. Before I got involved in politics and government, and now business, I was a journalist in northern Ontario. At that time, I had an opportunity to profile and write about a number of Canadian artists, including T.C. Cummings, Ernie Taylor—who also happened to be my art teacher in high school, growing up in North Bay—as well as Josh Kakegamic, whose work is currently on display at the McMichael collection.

Since then, I've had the good fortune to be able to acquire some modest pieces of work by each of these artists for my personal collection, along with other accomplished Canadian artists, including Gordon Dufoe, Arto Yusbazian and Jack Lockhart. I was proud that two of my paintings by Ernie Taylor were recently in a commemorative exhibition of his work at the Capitol Centre in North Bay, in a retrospective of his work in northern Ontario.

In addition to fine arts and music, I have also been active in community, non-profit theatre for many years, both as a performer and a patron. I currently serve and sit on the board of directors of Toronto's internationally acclaimed Hummingbird Centre for the Performing Arts,

which is the former O'Keefe Centre. I feel that my volunteer experience at the Hummingbird has prepared me very well for my new role at the McMichael.

Beyond my interest and involvement in the arts, I have served on the boards of several sports and recreation organizations, most recently on the Toronto 2008 Olympic bid committee, and also on the board of Fishing Forever, a non-profit organization that raises and donates money for community-based fishery and education projects.

All in all, I believe my background, experience and interests have prepared me to make a real and positive contribution to the McMichael. I thank you for your consideration and look forward to any questions you might have.

The Chair: Thank you, Mr King. We will commence our questioning with the Conservative caucus.

Mr O'Toole: It's nice to see you again, Mr King—that would be Bill. Just from what you've described in the profile, you're eminently qualified to make a valued contribution, as you've described it.

I've always had one puzzling question. It's not a trick question by any stretch, but do you know the names of all the members of the Group of Seven? It's always a bit fuzzy.

1520

Mr King: I actually brought my cheat sheet, but I'll see if I can do it from memory. The answer is yes. In fact, there are actually 10 of them.

Mr O'Toole: Was Tom Thomson a member of the Group of Seven?

Mr King: No, he died in 1917. The Group of Seven was formed in 1920.

Mr O'Toole: But was he a member of the Group of Seven?

Mr King: He was considered to be the spiritual driver behind the eventual formation of the Group of Seven.

Mr O'Toole: That's the trick part of the question. It doesn't get any deeper than that.

I appreciate and admire the purpose of the discussion we had in the House of the original intent of the McMichael collection, to which I'm always proud to bring visitors to Canada. I will be bringing visitors from Australia in the latter part of August to the McMichael. I always think it best represents Canadian art, as Emily Carr and others would be classic representations there.

What do you think is the most important challenge the fund faces today, as we speak? What do you think is the most important foundation challenge?

Mr King: I think there are a couple of issues. One is the financial integrity of the gallery, and I understand steps have been taken through some audits and some special assistance from the government. I guess related to the second issue, it is the reorientation of the gallery back to its original mandate, with a view to focusing attention on the original merits of the collection. So it would be twofold: financial and also a resolution to solve the conflict that's been going on at the gallery for many years.

Mr O'Toole: I don't have any other questions, unless other members have.

Mr Johnson: We reserve the rest of our time.

The Chair: Thank you very much, Mr Johnson, and Mr O'Toole for your questions. Now we move to Mr Crozier.

Mr Crozier: One thing I did notice, because that was one of my questions, was that you didn't name the Group of Seven. Could you do that now?

Mr King: Lawren Harris—

Mr Crozier: Wait now, you have to go slowly so I can check this off. Yes?

Mr King: Franklin Carmichael, Frank or Franz Johnston, J.E.H. MacDonald, A.Y. Jackson, Arthur Lismer. How many is that?

Mr Crozier: That's six. You're doing well.

Mr King: I always have to get them in the right order.

Mr Crozier: I know you can do it, but no, I'm not going to press any further.

Mr King: Frederick Varley. I should have remembered that. I used to work with a Varley.

Mr Crozier: Fred Varley. So you did have it written down there.

Mr King: There are actually three others: Edwin Holgate, Lionel LeMoine FitzGerald and A.J. Casson.

Mr Crozier: Who joined in 1926.

Mr King: Right.

Mr Crozier: I really asked those for a reason. I would have been surprised had you not known them, but on the other hand, I may not have been surprised if you hadn't. I would think if I had gone out on the street—and I would have been one of them—had somebody walked up to me last week and asked me to name the Group of Seven, I admittedly could not have done it, and I suspect that the vast majority of Canadians could not. What can we do here in Ontario to make them better known, or do you think they need to be? Is there an education we need in the arts?

Mr King: I've been out of the school system for many years, but certainly when I grew up—and it may have been the fact that Ernie Taylor was our teacher at the time—this was something we actually learned in school. I think the first time I ever went to McMichael would have been on a bus trip. I'm not even sure that was high school; it may have been pre-high school.

One of the things the gallery is doing right now that I was very impressed with—I went up last week and there is a special exhibit, interestingly not of a Group of Seven member, but a place of their own exhibit with Emily Carr and Georgia O'Keeffe and Kahlo from Mexico. There has been some good publicity about that exhibit. I went up specifically to see that exhibit, but you can't help but take in the whole gallery while you're there. I understand, from talking to some of the staff who were working there, it's been very, very busy and well attended. I think just having creative exhibits that fit in with the mandate of the McMichael collection draws people. I first read about it, for example, before I ever went to it;

there was a nice review in one of the newspapers. I think that spreads the word as well.

I don't know from a societal point of view whether there needs to be intervention in the school system. It would be nice. I'm a big believer in students learning lots about Canada. But I think there's a role for the gallery itself in terms of its exhibitions and the events it puts on that will help draw attention, both in person and also through the media.

Mr Crozier: This might involve some resources, and the gallery's resources may or may not be limited, but do you think that too would include some outside-the-gallery exhibits—in other words, some outreach, where an exhibit from the gallery could tour schools, that sort of thing?

Mr King: I don't see why it might not. My first instinct, from a fiscal point of view, would be maybe there's a way to find some type of community sponsorship for that type of thing, maybe share some of the cost with boards of education, private sponsors, that type of thing. There are Group of Seven works in many other galleries in the country as well. I was reading some material that there's an art gallery dedicated to Tom Thomson in Owen Sound. The national art gallery in Ottawa I think has the largest holdings of Tom Thomson and, presumably, other Group of Seven paintings as well, and so does the AGO. So it may not be up to the McMichael gallery alone. There are lots of others. Maybe that's a way to bring the various disparate exhibits in the various institutions together for that type of thing. But I think that would not be a bad idea and is something the board ought to take a look at.

Mr Crozier: I just have one more question, in view of the fact that it's the end of a hot, muggy day in Toronto and we appreciate you being here. I do have a trick question: did you jump or were you really pushed into that bush?

Mr King: I was pushed.

Mr Crozier: OK, thank you.

Interjection.

Mr Crozier: You missed that.

The Chair: I'm just recoiling from that question.

Mr Crozier: Oh, sure.

The Chair: I've noticed the astuteness of Mr King again. There was a good advertisement there for Hill and Knowlton in the midst of his initial statement, which is very good.

Mr King: I've been fortunate to have a number of wonderful employers.

The Chair: Mr Martin, you have an opportunity to ask questions now, sir.

Mr Martin: As you know and as we all know, this whole business has been quite contentious over a number of years, and around here I'm often surprised at issues that become contentious and those that don't. It often doesn't make sense to me and I try to get a handle on just what's driving it; who's driving it is often a lesson as well. I don't pretend to have any real knowledge or affinity for the issue, but in reading some of the material that I

did and listening to some of the debate in the House, there are certainly some strongly held views here. I was wondering if you might help me understand, briefly, what the issue really is.

Mr King: My understanding is that the issue goes back to the time of the donation by the McMichael family to the province in the late 1960s and at least three pieces of legislation that have ensued since then, sort of defining and redefining the mandate of the gallery. I actually was working with the Legislative Assembly back in the early 1980s the first time it came up under the Bill Davis government. You're right. People had strongly held views. It seems to me, chronologically, that when the government took the initiative through legislation to clarify the issue or to come down on one side or the other, that seemed to generate the debate at that time.

1530

Mr Martin: Just looking at it from a distance, the consistent thorn presents anyway as being the McMichaels themselves and their view of what is consistent with the original mandate. When you get groups like the Ontario Association of Art Galleries and the Canadian Museums Association vehemently opposed to a direction, it would present, to me anyway, that perhaps we really need to be careful about what we're doing here.

From the debate in the House, if I remember it correctly, this piece of legislation that has changed the way this collection is going to be governed in such a dramatic fashion as to generate the resistance that mounted seemed to be driven by the McMichaels and their concern that the collection was drifting from its original mandate, and also the Premier's office. Would that be a correct assumption?

Mr King: I wouldn't know. I wasn't here at the time of the last piece of legislation and I've never met the McMichaels, so I haven't had a discussion with them about that. I really don't know. I couldn't answer that.

What I think is interesting is that if you look at the history of the Group of Seven, they were extremely controversial in their work. Even at the time when they first came on the Canadian art scene back in the teens and the 1920s, there was a fair bit of debate in the arts community at that time. Actually, that's been my experience on the Hummingbird board. There are very strong views in many quarters about the shape and fabric of the cultural experience that these various institutions are involved in, and the arts community does not speak as one on any issues that I've been a part of.

My personal view is that there is a place for everything and that the central focus here is the appropriate role of the McMichael gallery vis-à-vis the AGO, vis-à-vis the National Gallery, vis-à-vis the Tom Thomson gallery and all of the wonderful community galleries, and I'm sure I'm missing a whole bunch. My view is there's a place for everything.

The Chair: Rodman Hall in St Catharines. That's the one you were trying to think of.

Mr King: Absolutely. I was struggling with that. Actually I think that was mentioned in the debate.

Yes, there's a place for everything. It's not that this art is good, this art is bad; it's finding the proper venue for all of our experiences, for all of us to enjoy what we like.

Mr Martin: How did your appointment not only to the board but as vice-chair, given that the vice-chair is also on the advisory panel, which is a very important small group of people who will make decisions that again are being watched very carefully by all of the groups who are concerned about this move, how did that appointment evolve?

Mr King: As I said, I've had a long, very personal interest in the arts. I have a very modest collection of my own, primarily people who, even though I've recited their names, are probably not widely known. About a year or eight months ago, I was thinking of things I might like to do. I was really enjoying my experience on the Hummingbird board and I had been asked to join by that board itself. It's actually under municipal governance. I had a good experience there and I was looking around for other things that I could contribute to. I wrote a letter to the Public Appointments Secretariat and said that if there was a vacancy or an opening—I purposely chose one, because of my background, that was a volunteer position, that was not paying or being compensated in any way. I wrote and said, "If you're looking for somebody with my background, I'd be happy to serve." A few months went by, and around the end of last year or early this year I got a phone call from Mr David Braley, who is the chair of the McMichael collection, and we had a discussion. I got a sense it was a little bit of an interview by phone. I indicated I would be very thrilled to be asked to serve, and I got a phone call a number of weeks ago saying that I had been appointed and I would be hearing from this committee likely. So that's sort of the way in which it came about.

Mr Martin: Given that, I would assume, there are some people on that board who have had some pretty lengthy experience or some experience with the board itself and have some understanding of the interrelationship between people, how did you end up being appointed to the vice-chair position, given the very important role that then gives you as a member of the advisory committee?

Mr King: I don't know. Presumably, that's part of the Public Appointments Secretariat process when they're reviewing candidates, and that may have been the position that was available. I wasn't involved in that discussion; I simply indicated my desire to serve in any role.

Mr Martin: And then they just told you that you were given the position of vice-chair. How do you think you're going to get along with the McMichaels?

Mr King: I hope well. As I say, I haven't had the pleasure of meeting them. I admire their role in this in the sense of their passion and their desire to have their collection shared with the public and with the province of Ontario. I certainly respect that, and I think I'm able to work with lots of different people of different backgrounds. In my current position, my private sector job, I deal a lot with governments and I deal with, even in my

own staff, governments of all stripes and all parties across the country. So it's very important to be able to work with people who come at things from many different directions.

Mr Martin: What's your position on the fear that many raised that under the new regulatory regime there would be a fire sale of art works that were collected over the years?

Mr King: I honestly don't know all the other members of the board. I've read some of the testimony of a couple of people who were appointed in the last year. When I knew I was coming to this committee, I went back to Hansard to see the types of things that the members were asking the appointees about. Nobody seems to have any desire for a fire sale, nor do they feel that's the reason they're there. I think the role of the board members is to do our homework and do our research, consult, take good advice and make good decisions on behalf of the gallery and the people of Ontario, whether they're acquiring art or disposing or whatever.

I know that question has been raised a lot, and I don't see any requirement for that under the legislation. I see that as an enabling provision, that if something, for whatever reason, was deemed to be more suitable at a different venue, that gives the board that flexibility to make that decision. But I don't see any desire, from what I can read or certainly in my conversations with Mr Braley, to embark on that course.

The Chair: Thank you very much. That is the completion of your time, Mr Martin. Thank you, Mr King, for being with the committee today. You may step down.

Members of the committee, we are going to deal with the various appointments now in terms of voting and any discussion that would go with the voting. I'll begin, first of all, with Mr Jack Calbeck, intended appointee as member, Brant County Police Services Board.

Mr Johnson: Mr Chair, I move concurrence.

The Chair: Mr Johnson has moved concurrence. Is there any discussion? If not, I'll call the vote. All in favour? Opposed? That is carried.

Second will be Mr Mel L. Jones, intended appointee as member, Council of the Ontario College of Pharmacists.

1540

Mr Johnson: Mr Chair, I move concurrence.

The Chair: Mr Johnson has moved concurrence. Any discussion? Mr Martin.

Mr Martin: I've got some concern re this interview in that the profession of pharmacy is, as are so many of the medical professions in the province, experiencing or going to experience a real need for new people into that trade and I think we have to be open to the possibility of a significant number of people who come to this country trained in other jurisdictions. Some of the answers to the questions that were put to Mr Jones, and conversations that he related that he had with other pharmacists, indicate to me that there may be some difficulty or hesitation in recognizing or accepting the qualifications

of people who aren't of English background. That's presented as a problem already and I don't think we want to in any way, shape or form exacerbate that problem and so I won't be supporting this appointment this afternoon.

The Chair: Any further discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next appointee is Dennis McKaig, intended appointee as member, Ontario Rental Housing Tribunal.

Mr Johnson: Mr Chairman, I move concurrence.

The Chair: Mr Johnson moves concurrence. Any discussion? If not, I'll call the vote. All in favour? Opposed? Motion is carried.

The next is the intended appointee as member, the Early Years Steering Committee of the Ottawa-Carleton Regional Health Unit, Mr Peter Nikic.

Mr Johnson: Mr Chair, I move concurrence.

The Chair: Mr Johnson has moved concurrence. Any discussion? Mr Martin.

Mr Martin: Again, I had an uneasiness around some of the responses and what I consider sort of dancing around the question of poverty and how you deal with that. Poverty is evolving in this province as a very serious issue—if perhaps not the most serious, certainly right up there near the top—that I think we all need to be grappling with. This committee in particular, if it's going to deal with establishing some strong and healthy foundations for young people, needs to be a lot more aware and willing to take strong action than I sense is present in Mr Nikic and so I won't be supporting this one either.

The Chair: Any further discussion?

Mr Crozier: Chair, just a couple of comments. I share some of the concerns of my colleague, Mr Martin, and as well I have some concern around the whole issue of the Early Years Steering Committees that are being appointed across the province. I don't know whether there were other appointees recommended for that position that Mr Nikic was selected from nor in fact do I know what particular riding he was from. I understand there are some instances where names are being put forward and none of them are being selected, but the minister or the government selects certain names. So just because I have some concern with the whole issue of the Early Year Steering Committees, I'll be opposed to this appointment.

The Chair: Any other comment? I'll call the motion. All in favour? Opposed? The motion is carried.

The next is Mr René Roberge, intended appointee as member, Ontario Parole and Earned-Release Board.

Mr Ouellette: Mr Chair, I move concurrence.

The Chair: Concurrence is moved by Mr Ouellette. Any comments? Mr Martin.

Mr Martin: I initially had some uneasiness with this appointment, particularly when I heard Mr Roberge speak of his criticism of the system and his seeing this as an opportunity for him to come in and make the necessary changes. I don't personally believe that's the role of the board. I think the board is mandated very clearly to do certain things. It's governed by a set of regulations that have evolved over a period of time and changed,

depending on the approach of government as that evolves as well.

I have to say, though, that I was heartened by some of his obvious study into this, having been apprised of the possibility of being appointed to the board, to understand that it wasn't as black and white or as cut and dried as I think he had initially assumed, and in that presented to me to be a person who was certainly open to information and to listening to all of the arguments that are put in front of him, and in that would probably be able and willing to make a decision that, yes, was concerned about, first of all and primarily, the safety of the community, but also understood, as Mr Crozier put to him, that there are also other factors considered here. One is the rehabilitation of those folks and the fact that if we don't get them out into the community under supervision, eventually they'll end up in the community anyway, with no supervision. I would guess that if you look at the statistics, you'll probably find that the latter is more problematic than the former.

So, having said all that, I will be supporting the appointment of Mr Roberge.

The Chair: Any further comment? If not, I'll call the vote.

All in favour? Opposed? Motion is carried.

The next concurrence will be Mr Bill King, intended appointee as member and vice-chair, McMichael Canadian Art Collection Board of Trustees.

Mr O'Toole: I move concurrence in the appointment of Mr Bill King.

The Chair: Mr O'Toole moves concurrence. Comment?

Mr Martin: Given the very contentious and sensitive nature of this whole piece of work that is evolving before us, it seems to me that we really have to be careful at least, from our perspective and given the responsibility

that we have, that we not load the board in any way that might present even as throwing oil on the fire.

I would guess from listening to the debate in the House and some of what we've heard here in this place at this committee over the last year or so as we've made appointments and certainly some of what I've read in various mediums over the last while, that this change was driven primarily by two offices: one, the office of the McMichaels and the other the Office of the Premier.

The appointment today before us, even though a very experienced and knowledgeable and probably good appointment, is, in my view, too directly linked to the Premier's office in the not-too-distant past. The fact that the appointment is not only an appointment to the board but an appointment to the position of vice-chair, which carries with it the added responsibility of being on the advisory committee, indicates to me that there's a whole lot more to this than perhaps we're seeing at the moment in terms of, in the end, decision-making and control and power and balance of power, where this very important institution to the history and cultural life of this province is concerned.

So for those reasons, I won't be supporting this appointment this afternoon.

The Chair: Any further comment? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

We have concluded our concurrences. The next scheduled meeting of the standing committee on government agencies is Wednesday, August 22, 2001, at 10 am. I believe it will be in this committee room, but you'll be notified specifically. Having concluded our business, I'll ask for a motion of adjournment.

Mr Ouellette: So moved.

The Chair: Mr Ouellette has moved adjournment. All in favour? The motion is carried. Thank you.

The committee adjourned at 1551.

CONTENTS

Wednesday 8 August 2001

Subcommittee reports	A-137
Intended appointments	A-137
Mr Jack Calbeck	A-137
Mr Mel Jones.....	A-140
Mr Dennis McKaig	A-144
Mr Peter Nikic	A-149
Mr René Roberge.....	A-153
Mr Bill King.....	A-156

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr John O'Toole (Durham PC)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

2 ON
XC 19
- 652



ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 22 August 2001

Journal des débats (Hansard)

Mercredi 22 août 2001

**Standing committee on
government agencies**

Subcommittee report

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapport du sous-comité

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 22 August 2001

Mercredi 22 août 2001

The committee met at 1003 in room 151.

SUBCOMMITTEE REPORT

The Vice-Chair (Mr Bruce Crozier): We'll bring the committee to order.

The first order of business is the report of the subcommittee on committee business dated Thursday, August 16. I think all members have a copy.

Mr Bob Wood (London West): Mr Chair, I move its adoption.

The Vice-Chair: Adoption has been moved. Is there any discussion? All those in favour? Opposed? It's carried.

INTENDED APPOINTMENTS

BOB PENNOCK

Review of intended appointment, selected by official opposition party: Bob Pennock, intended appointee as member, Ontario Parole and Earned Release Board.

The Vice-Chair: We'll then move on to the appointments review. First is a selection of the official opposition: Mr Bob Pennock—I hope that's right and that if not I'll get corrected—intended appointee as a member of the Ontario Parole and Earned Release Board. Mr Pennock, please come and make yourself comfortable.

Mr Bob Pennock: Thank you, and you did pronounce it correctly.

The Vice-Chair: While you're getting settled in, I would point out that each caucus has an opportunity for about 10 minutes of questions, and you have an opportunity, sir, to have some opening remarks, which will be deducted from the government's time. So when you're comfortable and ready to start, please do so.

Mr Pennock: I do have opening remarks. I'd like to thank the committee for allowing me to appear before you today in order to answer any questions you might have.

No doubt you have my CV before you, so I will just take a moment to highlight some of my background, but in particular I'd like to expand on some of my past and present community involvement.

I resided in Toronto all my life until retiring in 1992, when Lorraine and I moved to Fenelon Falls. Fenelon

Falls is located just 20 minutes north of Lindsay, now in the newly amalgamated city of Kawartha Lakes. Happily married for 43 years, Lorraine and I enjoyed watching our three children grow up to be well-adjusted adults. Presently we are the proud grandparents of three grandsons, and I'm certain their main purpose in life today is to keep Lorraine and I young and active.

While in Toronto, I was involved with a number of community projects, which included Scouting, coaching hockey and soccer, fundraising for various organizations, and sitting on the board of the Humber Memorial Hospital, to name just a few. As well, I was an active member of the Naval Reserve for 15 years, attaining the rank of Chief Petty Officer, and received both Canadian Forces decorations and the Centennial Medal.

Since moving to Fenelon Falls, I've continued my community involvement. This has included chairing a planning advisory committee, sitting on various other committees such as environment, sustainable tourism, Canada Day and Santa Day, and acting as treasurer of the Kawartha summer theatre board.

Currently, I am on the City of Kawartha Lakes economic development committee, an improvement committee, and am a board member of the first Kawartha Highland Games. In addition, I have sat on the major gifts board for fundraising for the Ross Memorial Hospital. I am currently a board member of the foundation engaged in a major restoration fundraising project to preserve Ontario's oldest existing live theatre today, the Academy Theatre in Lindsay. As well, I work as a Shriner, assisting burned and crippled children.

My business background was primarily in sales and marketing. In 1973, Lorraine and I started our own insurance restoration firm, servicing the insurance industry. For a number of years I was a director of the National Institute of Fire Restorers, headquartered in Washington, DC. Today I still do some occasional consulting work for a Texas-based firm following major natural disasters.

In 1984, I ran for member of Parliament in the riding of Etobicoke North and was fortunate to have been elected, serving until the election in 1988.

Following that, I was the vice-president of a national corporation, and in 1991 was appointed for a three-year term to the National Parole Board.

I believe the skills I have developed through my business experience, my interest and community involvement, the training and skills I received while a member of

the National Parole Board and my compassion for people all qualify me to make a meaningful contribution as a member of the Ontario Parole and Earned Release Board. Should this committee see fit to confirm my appointment, I assure you I will do all in my power to exercise due diligence in the performance of my duties to this very important task, with all the responsibility it entails for community safety. Thank you.

The Chair (Mr Jim Bradley): Thank you very much, sir. We will commence our questioning with the official opposition.

Mr Bruce Crozier (Essex): Good morning, sir. I certainly see by the synopsis of your personal experience, and you have mentioned, that you were on the federal Correctional Service of Canada parole board for two years.

Mr Pennock: Three years.

Mr Crozier: What is the nearest provincial facility to your home town?

Mr Pennock: Lindsay.

Mr Crozier: Have you visited that facility at any time in the past?

Mr Pennock: I've had no occasion to go down to visit that facility.

Mr Crozier: Have you visited any provincial facility?

Mr Pennock: Yes. When I was a member of Parliament, I had occasion to go to the Toronto West Detention Centre a couple of times.

Mr Crozier: Just as a matter of interest, perhaps to nobody else but myself, last week I had an opportunity to tour Kingston Penitentiary. It's an interesting opportunity. I know the general public maybe can't parade through federal and provincial facilities, but it's an experience that, if anyone gets the opportunity, they should take.

Mr Pennock: It certainly is, particularly that facility, when they bang that door behind you.

Mr Crozier: Yes. The best feeling I had was that I knew I was going to be leaving in two hours.

We've been given some information to prepare for this morning. One of the criteria for the appointment that you're seeking and that I don't doubt you will receive is that you support the government's policy when it comes to public safety. Do you have any comments on what you feel government policy is, or do you know what the government policy is on public safety?

1010

Mr Pennock: I have somewhat of an idea that there is a need to ensure that the community at large is protected from a safety standpoint when you are looking at the possible release of someone who has committed an offence. Certainly I think the public is demanding more and more that you exercise due diligence and care in addressing that by the board.

Mr Crozier: In your experience, and having said that, tell me what the result of that is; ie, does it result in fewer parolees? Is it more difficult to be paroled? Are the same criteria applied any differently than they have been in the past, in your view?

Mr Pennock: Whether it's being applied differently today in the provincial system I really don't know. If I may just speak related to the federal and the provincial, I think the underlying approach by a board member is doing all the work they can beforehand—and that is extensive—to make certain that you can, during the hearing process, determine whether there is a safety risk factor that is there. Once you have determined that it is a manageable risk, then I feel personally that if there are the programs within the community to supply the support to help that person better reintegrate into society and become a good citizen, that is a task that must be undertaken, because if you wait until the two thirds mandatory release period, they go out with little, if any, control at all. I wouldn't be surprised if many of them don't go for parole because they don't want those controls put on them.

Mr Crozier: Thank you. I think my colleague has some questions.

Mr George Smitherman (Toronto Centre-Rosedale): Mr Pennock, like you, I'm a refugee from Etobicoke, now representing the downtown Toronto riding of Toronto Centre-Rosedale. We have had a difficult summer here in the city of Toronto, in my riding. I'm an Etobicoke Centre kid but I know Etobicoke North rather well. Within that community there are of course some areas where violent, gun-related activity has become all too common.

I'm wondering if you could comment on your understanding of the issue of guns and drugs and violence in communities and the adequacy of response on the part of the government over the summer. Some of us in Toronto are beginning to think the Harris government just likes to talk tough on crime, but in response to a particularly violent summer where guns have become the more normal mode of causing murder, capital crime, capital murder, the government has responded only with a snitch line.

Mr Pennock: Being a parent and grandparent and having read in the media the occasions where very innocent bystanders were killed or badly wounded, I think everything possible has to be done to address the control particularly of handguns. They are legislated. I think the federal government has gone to the point—I know I had to register my shotgun and my old Cooney .22, which I've just done recently. If there are ways in which we can address this, then it must be addressed.

We still have a problem with how these weapons find their way through the underground. They find their way in a lot of cases, I think, coming in from the United States, where we all know a lot of people drive around with a Magnum under the seat of their car. So if we can find ways to control that even at the border—but I don't have definitive answers for you on that.

Related to substance abuse, I think that is an excellent question, because therein I have a concern. When I drive back from Toronto to Fenelon Falls and I arrive at 1 or 2 in the morning and I see the children standing on the street, the 10- and 12-year-olds, the first thing is to get themselves into trouble with vandalism. But that's when the traffickers are out. Even in the small town of Fenelon

Falls with 1,800, the OPP just recently did a major bust. They were undercover, I think, for about six to eight months in little old Fenelon Falls. So they are trying to address it. I have to say from my experience at the national level that when you see the backgrounds of many of the people who have committed pretty heinous crimes, substance abuse is probably one of the key factors that's underlying it.

Mr Smitherman: As you know, the Harris government went to great expense to fight the federal government's gun registry system. It seemed to me that you were endorsing that by using the word "controls." I'd like you to clarify that.

You speak about the issue of substance abuse. I believe in the period that you represented Etobicoke North, crack cocaine was on the scene and beginning to unravel those communities. It's an insidious drug, and we continue to struggle with knowing exactly how to deal with it when its presence in a community occurs.

We see a move on the part of the government toward the development of facilities where prisoners are in lockdown. I'd like to ask you about your opinion with respect to the adequacy of training and access within the prison system to the kinds of programs that would assist people in meaningfully dealing with substance abuse issues. Do you feel we're doing an effective job in assisting people who may be sentenced on crimes that aren't so serious, getting at them early and attempting to deal with the underlying conditions like substance abuse?

Mr Pennock: Well, thank you for that question. First of all, I'd like to state that I feel the provincial parole system is extremely important, because when you get to the federal level and you're looking at an FPS sheet on so many of the people who are in there who have committed very serious crimes, their history has built from a very minor crime going up through the provincial system. That's where, hopefully with the proper programs in place, you can perhaps stop them from making that big step to the upper level.

Related to the programs, frankly I think with the mega-jails coming into effect that there will be an opportunity to bring all of the specialists closer together. It will give the inmates perhaps a wider variety of programs. I don't know this. I'm just assuming that this would be one of the results of that. As well, in some of the smaller institutions today provincially, I understand they have little, if any, opportunity to avail themselves of programs.

The long and the short of it is that with the programs that address the problems they have, be it substance abuse or anger management, you'd better start addressing them sooner rather than later, and when they get in the community, there certainly has to be a strong follow-up.

The Chair: That concludes your questions, unfortunately for you.

We now move to the third party, Mr Martin.

Mr Tony Martin (Sault Ste Marie): Thank you very much, and thanks for coming today and sitting through this interview.

Mr Pennock: It's different to sit at this end of the table, sir.

Mr Martin: Yes, I note by your resumé that you've been here as well, and it's good that you have that experience under your belt, particularly as you move forward in taking on further public responsibility.

You're obviously a person with a varied background of experience and commitment to public life and community. Besides the fact that you served on the federal parole board, at this time in your life, having done that, why this particular appointment? Why would you have sought this, and why are you interested in this?

1020

Mr Pennock: If I may clarify, I did not seek this as a specific appointment. With the new city of Kawartha Lakes, a number of the committees that I'd sat on were dissolved and newly created with only council members sitting on them. I was going to have time on my hands, and I like to be a very busy individual. I thought there might be an opportunity to serve some way provincially. I did speak to the member, and he suggested I send my resumé in, which I did. So I did not send my resumé specifically for the parole board. I received a call asking if I would be interested in that appointment, and that's how that came about.

Mr Martin: Who was the member you gave your application to?

Mr Pennock: Minister Hodgson, Mr Hodgson.

Mr Martin: And he forwarded it to the appointments secretariat, and they looked at your background and determined that this might be an appropriate fit for you?

Mr Pennock: I assume that's what happened.

Mr Martin: And you're feeling, obviously, that it might be, so you've decided to move forward.

Mr Pennock: Yes.

Mr Martin: Maybe you could share with us why it is that you would—it's obviously going to take some time out of your life and will take away from some of the other things that you like to do. Why would you, at this time in your life, want to do that?

Mr Pennock: From my exposure at the federal level, I believe very strongly, first of all, that we need to protect the people in our community. But more importantly, I think the parole system, if it's done effectively, can help people who have gone astray, if they're handled properly, get on the right track in life. Call it a cause or call it a wish; I'd like to be part of that.

Mr Martin: OK. There have been some pretty significant changes over the last five or six years in the parole system in Ontario, first of all brought forward by the NDP government in 1995 under the tutelage of David Christopherson, who was the Solicitor General at the time, and just recently—and over the last number of years, but some of it recently—by the present government. Are you aware of those changes?

Mr Pennock: I'm aware of some of the changes and some of the proposed changes, yes.

Mr Martin: Do you understand why those changes were brought in?

Mr Pennock: The background of the whys and wheres, no, I don't. But, for example, the victim participation at parole hearings: that had just started toward the end of my tenure with the federal government. I certainly think that is a very needed addition, from a number of standpoints. The victim participating, first of all, in a lot of cases gives the victim an insight into how detailed parole is and makes them aware that it's not just a flippant decision that is taken. From the standpoint of the inmate's rehabilitation, for them to actually become aware of some of the traumatic change they have caused in people's lives just may help in their rehabilitation. I think parole members need every bit of information they can have, and if they get the victim impact statement or participation by the victim in the hearing, I think that's a big step forward.

Mr Martin: I think that's important too, and I think that was indicated by the support of the government that I was part of in the early 1990s in moving forward to reform. But the thing that concerns me, and I have to say this, and I would suggest that in listening to the answers you gave to Mr Crozier that it probably concerns you too, is the emphasis now by this government that appointees to parole boards share their commitment to public safety. I believe you also have to sign a form now if you're going to take an appointment by this government to be committed to the program of the government. Stats are saying that there are fewer and fewer people getting parole in Ontario. You were saying earlier that parole plays an important role in helping a person rehabilitate and then get back into the community in a more positive way. You yourself suggested that if they go their full term and they get out when they're legally allowed out without the kind of supervision and experience they would have on parole, that may actually present more problems to the public in terms of safety than going the route of parole.

If that becomes obvious to you in your appointment, that strongly held feeling that you have from your experience with the federal system that this government is in fact increasing the potential for bad things to happen out there as people get out of prison without the parole, do you think you'll have the ability and the opportunity to make recommendations that might change the view of this government where that's concerned, or does that concern you at all?

Mr Pennock: People who know me know I'm never one to keep quiet if I think there is something that needs to be addressed. I certainly wouldn't hesitate to do so if I felt I could make a sound recommendation for improvement.

But to answer what I think might be a concern of yours, and I apologize for referring to the federal system because that's what I knew, I have to say that I, and I'm certain each of my colleagues in that instance, went into hearings with a very open mind. The commitment at the federal and I believe the provincial level is the same: community safety and whether or not that person could be a manageable risk before you go to the next step of

rehabilitation. I have to say that in my three years there I felt no influence either from Correctional Services Canada or from the ministry or anyone else to change the view that I had as a board member in the releasing process. So I think I will go into this with the same approach, that I take each case on its individual merits, weigh all the material that's before me and make a determination: would I want that person out and living in my community?

Mr Martin: There is also another side, of course, to this whole issue of parole and working with people who find themselves in difficulty with the law. That's the question of rehabilitation, a piece of this that I feel very strongly committed to. My feeling is that there is no human being, no matter how bad they are, who isn't redeemable, whom we should discard or not make every effort to rehabilitate. There is an approach to justice out there right now that a lot of people are working in called restorative justice, where healing is on the agenda. What is your position where that is concerned, and how do you think that will fit into your role as a member of this board?

Mr Pennock: As I stated earlier, I really believe the after-parole programs are extremely important, because if you don't get to the root cause of substance abuse, anger management, the chance of recidivism is going to be extremely high.

In preparing for today, I had the plan for 2000-01, and it was encouraging to see in that that they are looking at further expansion of programs in the community treatment houses and workplaces and things like that. I think they have to continually be moving in that direction, and it appears the government is looking at that seriously.

Mr Martin: Which brings me to the last question I have for you. You had made the point that giving people a chance to be out on parole is a good approach if the programs are in place. In your answer here you're saying that you're seeing in the 2000-01 program that they are in fact going to be. Our experience with this government is that they make a lot of big announcements suggesting they're going to spend money on things and then end up not doing it.

When you were with the federal parole board, did you feel there were enough programs out there? Do you think there are enough programs out there now, funded adequately, to deal with the challenge of good parole policy in this province?

1030

Mr Pennock: I think federally they have an advantage in the parole program of having halfway houses available for day parole release. I would think in the federal system, without that, there would be a lot more denials of parole, because that put a check and balance in that you couldn't have directly in the community. But the community per se I don't think looks upon the need of programs the way that you and I might look at the need of programs in the community. I don't think I'm in a position to say, is it adequately funded, but I think I am in a position to say that, personally, without giving them

the support once they reach the community, the chance of them reoffending increases dramatically.

The Chair: Thank you very much. We will move now to the government benches; Mr Dunlop has a question.

Mr Garfield Dunlop (Simcoe North): Thank you very much, Mr Chair. I was just wondering if you hooked the fans up to the kitchen fans here. It smells like garlic in this room now. Did you notice that?

Mr Pennock: I was beginning to think it was me.

Mr Dunlop: No, it's garlic bread cooking somewhere.

I just wanted to ask you if you were familiar with the Corrections Accountability Act that our government passed last fall, if you want to comment on it at all.

Mr Pennock: Is that the one that's still awaiting the signature—it follows the victim awareness and things like that? I'm not certain I am.

Mr Dunlop: No, it's an act we passed just last fall. I just wanted to know if you were familiar with it.

Mr Pennock: No, I'm not.

Mr Dunlop: That's OK; I just wanted to hear your comments on it. It's just that I wanted to point out that our government has made a number of reforms in corrections, along with the fact that we've built huge jails and are eliminating a lot of the old and tired buildings. I just wondered how you felt about that.

Mr Pennock: I think I commented earlier that I think the move to the mega-jails is a very positive thing for the inmates. It's going to enhance the programs, broaden the programs, give access to programs, where in the smaller institutions, like the Lindsay Jail, they're just not available.

The Chair: Any other—

Mr Wood: We'll waive the balance of our time.

The Chair: I'm an impartial Chair or I would have said that of course you wouldn't want to close the Niagara Detention Centre. But being an impartial Chair, I'm not allowed to say that.

Thank you very much, Mr Pennock, for being with us today. We appreciate your answers and your appearance before the committee, sir.

Mr Pennock: Thank you.

MARC COOMBS

Review of intended appointment, selected by official opposition party: Marc Coombs, intended appointee as member, Township of Cramahe Police Services Board.

The Chair: Our next intended appointee is Marc Coombs, intended appointee as member, Township of—

Mr Marc Coombs: Cramahe.

The Chair: —Cramahe Police Services Board. Now, the people outside of the township no doubt have to struggle with that, and the people in the township can have it roll off their tongues very easily.

Mr Coombs: Yes.

The Chair: Welcome to the committee, sir. As you know, you have an opportunity to make an initial statement, if you wish. That's always up to the applicant herself or himself. Subsequent to that, there are questions

from each of the parties represented in the Legislature and on this committee. Welcome, sir.

Mr Coombs: Thanks; I will make a brief opening statement. My name is Marc Coombs and I'm hoping to become one of the provincial representatives on the new Cramahe township police services board. I have lived with my wife and family in Cramahe township since 1992, and I have been and continue to be very involved in the community. I have served in many communities, both in our township as well as in Northumberland county.

Just a few highlights will be: serving in Cramahe township as a councillor from 1998 to 2000; being on the St Mary's school council since 1996; and currently serving as chair of both the Apple Route and also the Northumberland Tourism Advisory Committee.

During my tenure on council, I was the council rep for the Northumberland Community Policing Advisory Committee. As such, I helped develop, along with other municipal reps, and in conjunction with the community policing volunteers, the Northumberland OPP 1999 business plan, the first done with community input.

I am looking forward to serving my community on the new police services board. Thank you.

The Chair: Thank you very much, sir. We will commence the questioning in this case with the third party.

Mr Martin: Thank you for coming this morning and for putting your name forward to serve in this way. Given your very impressive background of involvement in community and public life, why at this time would you choose to serve in this way, on a police services board? What would be the motivation behind your wanting to serve, to take on this appointment?

Mr Coombs: I'm not on council presently, so I have a little bit more time than I did in the previous three years. The township amalgamated recently, and just recently signed a contract with the OPP. Before that, I was the council rep on the community policing advisory committee, which was the precursor to a police services board if you don't have a contract. So it's really just continuing the work I did while I was on council.

I'm involved a lot in economic development and tourism issues in the community. But I also feel that the other issue is the policing issue and having a safe community. So I think it's important, and that's why I put my name forward for that.

Mr Martin: How did you find out about this appointment, and what process did you use to apply?

Mr Coombs: Certainly I knew it was available. A staff member at the local MPP's office called me and told me to forward my resumé if I was interested. I was interested and did so.

Mr Martin: Who is your MPP?

Mr Coombs: Doug Galt.

Mr Martin: Other than the fact that you've had some previous experience, is there anything else that you think positions you to carry out this responsibility in a way that would make it important for us to appoint you here this morning?

Mr Coombs: Sure. I am involved in the community, and I think that speaks a lot right there. Probably more than anybody else in the community, I have been involved in the OPP as far as overseeing it from a council's point of view: budgeting and setting priorities and objectives for the community as far as police service is concerned. I think those are important aspects of the position.

Mr Martin: What are some of the biggest policing issues where your community is concerned?

Mr Coombs: We're a rural community, so a lot of the issues are somewhat smaller issues. They're break and enters, vandalism in the main village. There are also problems with drugs coming into our community. Certainly I think if you ask the residents, most of the issues are related to break and enters and vandalism. As well, traffic issues occasionally come up.

Mr Martin: What do you think you'll be able to do to take a stab at that in your role as a member of the board?

Mr Coombs: In the past, we made sure the OPP was fully aware of the concerns of the local community and that they got put down in writing in a business plan and were followed up on a monthly basis to make sure that action was being taken and that B and Es were being cleared and the problem was being addressed.

Mr Martin: In the background material we've been given, we're led to understand that your township has in fact contracted with the OPP to provide—

Mr Coombs: Yes, just recently.

Mr Martin: Is that something you think will be a good move?

Mr Coombs: From a financial point of view, it provides a lot of stability to the administration to be able to budget over a long period of time and, yes, I think it is the best solution for policing in our community.

Mr Martin: But it changes the role of the police services board, in that you no longer have the very direct, almost hands-on, oversight you would have with the local police service. Now it's more—

Mr Coombs: We're too small a community to have a local police service. We're only 5,000 people. We've always had the OPP police our community.

Mr Martin: I grew up in a little town called Wawa, and they've always had their own police service. They've now got a population between 4,000 and 4,500, and they still find it the way they want to go and they find that it works.

One of the things they feel with the local policing service is that they have more control. They have more say, more hands-on and back and forth with the chief in that. With the OPP, that's not there. Do you think that'll be a difficulty?

Mr Coombs: That's certainly a hurdle the OPP has to overcome. One of the biggest problems they have is becoming a community police force, much in the way you're talking. In the three previous years that I was on the advisory committee, we worked very closely with the detachment commander and with the community policing officer. They fully understand that they have to become

very responsive to what the community's needs are, and the police services board is the venue for making sure that happens.

1040

The Chair: We move to the government benches.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time, so we move to the official opposition.

Mr Smitherman: I have a question, just to get started, and it is about community policing, which is one of these phrases that's often used but defined differently. I would be interested to hear what that means to you.

Mr Coombs: Community policing is the community being aware of what's going on and making sure they become aware that they are really part of the solution and should get involved. As such, we do have a community policing association—volunteers who are involved in the community. From a policing point of view, it also means that the police force, whether it be a municipal force or the OPP, has to realize that they are supposed to be part of the community and that they should know the community and know who's there and be fully familiar with the area.

Mr Smitherman: You used the words "supposed to be," and I just want to make sure I'm getting the sequence right. This is a small community of 5,000 people with historic service from the OPP. Earlier, in an answer to Mr Martin, you acknowledged that one of the big challenges for the OPP as a police service is to transition itself from being a big, perhaps—these are my words—bureaucratic and centralized service to one that is more responsive toward the community. What has been your view about the evolution of this? Again, you used the words "supposed to be," and I'm concerned that we don't necessarily have the safeguards that are designed to give real life to the definition, which I think was a good one, that you gave around community policing.

Mr Coombs: I think the changes to the Police Services Act and the fact that municipalities now pay for policing drastically changed the playing field. One small issue that I think we addressed with the OPP right off the bat was that before their staff would float. We were looking for their police officers to be much more familiar with the community. If they are only one year in our community and then they go somewhere else in Ontario, it's hard to build up a relationship with the community policing officer and the officers themselves; not that they have to be there forever, but that was the hurdle the OPP had to overcome, to make staffing in the area much more reliable from the point of view that we wanted to be able to build up a relationship with the police officers who are in the area and certainly with the community policing officer who is in charge of the area.

In the three years since the Police Services Act—which I believe was 1997, so it started in 1998—they have worked very strongly toward that. The detachment commander is very visible in the area, very well known

to the councils in the area and very open, and there's a lot of good give and take.

Mr Smitherman: Your community is one of the smaller communities in that area. You've got some small urban centres.

Mr Coombs: That's right.

Mr Smitherman: I have a riding that has an enormous variance of income levels, as an example. It seems to me, and my observations of community policing are, that it works well where there's a strong community voice. But in those communities that have a more muted voice—and it could be muted for a number of reasons, including size—I'm concerned that those communities have sometimes struggled in their fight to receive adequate attention and resources. Has that always been a concern for a community that size?

Mr Coombs: I would guess it would be a concern. We haven't had that problem, fortunately. We developed a very good relationship with the OPP, and they have tried very hard over the three years I've dealt with them to become a community police force.

Mr Smitherman: The last question I have—you mentioned B and Es two or three times, which gives rise to the view that you consider that the number one concern with respect to policing in your community, and you talked about the cleared rate. I'm wondering if you have any statistics available with respect to the incidence of domestic assault in your community and the cleared rate on domestic assaults.

Mr Coombs: No, I don't.

Mr Crozier: Just a couple of quick questions, sir. You mentioned that part of the decision process to continue with the OPP was that your community was too small. I might suggest that the OPP should provide an adequate number of officers, which you would have had to provide under local policing. I suppose some of the capital costs such as cruisers would be the same.

Do you see the OPP being able to provide a more cost-effective service because you might be subsidized by larger communities that have the OPP, or by the OPP overall? How can the OPP provide it any more cost-effectively than a local service if they have to provide the same service?

Mr Coombs: Obviously, a lot of the OPP's costs are spread over Ontario, and that makes a big difference when it's a small community of 5,000 people wanting to go out and start up a new police force. The previous council to the one I sat on went through that exercise of costing out what it would be to have constables, have a building, have police cars, have a radio system, and at the end of the day, never mind the added burden from an HR point of view, it doesn't balance out.

Mr Crozier: But the OPP still has to have a building as well. Did they have one there previously?

Mr Coombs: They have one in Cobourg and they have one in Campbellford, which is in the county. Like I said, they have an existing infrastructure that allows them to do business fairly efficiently, especially from—

Mr Crozier: And those are outside the policing area that they—

Mr Coombs: Of our township. Yes, one is approximately 15 minutes, and the other one is about half an hour.

Mr Crozier: But you still feel the police officers are in the area and not just being dispatched from there, so there is no loss in reaction time?

Mr Coombs: We've had no problem. Each community has a community policing office, a storefront on the main street so that the OPP officers have a terminal where they can go to work. In the last three years, we've noticed a tremendous rise in their visibility, which is what the community wanted to see. It's worked out well, yes.

The Chair: That completes the questioning of the three parties. Thank you very much, Mr Coombs, for being with us today. You may step down.

RON NISBET

Review of intended appointment, selected by official opposition party: Ron Nisbet, intended appointee as member, Ontario Parks Board of Directors.

The Chair: Our next intended appointee is Ron Nisbet. He's an intended appointee as member, Ontario Parks Board of Directors.

Welcome to the committee, Mr Nisbet. As you are likely aware, you have an opportunity to make an initial statement if you choose to do so. Subsequent to that, representatives of each of the three parties represented on this committee have up to 10 minutes to ask you questions. Just a note, to give a heads-up to people, we'll be commencing our questions with the government members in this particular case.

Welcome, sir. It's nice to have you with us.

Mr Ron Nisbet: Good morning, ladies and gentlemen. My name is Ron Nisbet, as indicated. I have been practising as a chartered accountant for the last 35 years. Twelve of those years were spent in industry and 23 years in public practice, firstly with a small firm and later with an international firm.

During my years in public practice, I performed auditing and consulting engagements for several not-for-profit organizations. Additionally, I have performed volunteer work for not-for-profit organizations, presently being involved with Rotary International, both at the club and district levels, acting as a director and treasurer of a group home for physically challenged adults, and doing volunteer work for Foodpath in Mississauga. I believe this gives me an understanding of the workings and objectives of not-for-profit and government-funded organizations.

Being a cottage owner in a fairly remote part of eastern Ontario, I see the need for protecting the ecology and environment, tempered with the objective of making available to the general public the facilities that we have, but ensuring that we also protect them for our children and grandchildren.

I feel that my administrative and financial experience, coupled with my desire to work with others to maintain a proper balance on our public lands, puts me in good stead to serve on the board of directors of Ontario Parks.

The Chair: We commence the questioning with the government caucus.

Mr Wood: We will waive our time.

The Chair: The government caucus has waived its time, so we will commence now with the official opposition.

Mr Smitherman: Welcome, Mr Nisbet. Notwithstanding your reference to your cottage, with my first question I'm more interested in the proximity of provincial parks to your home.

1050

Mr Nisbet: My home?

Mr Smitherman: Yes. You live in Mississauga, I understand?

Mr Nisbet: Yes, I do.

Mr Smitherman: Bronte Creek Provincial Park is near your home and was subject to some consideration on the part of the government in the last two or three years to sell off a portion of that park for a golf course development. Can you offer your view on the appropriateness of even considering that?

Mr Nisbet: I am a golfer, incidentally. We have a lot of golf courses in the Mississauga-Milton-Oakville area. I'm not sure I agree 100% with the idea of taking away from our provincial parks at this point to build additional golf courses in the Oakville-Milton-Mississauga area.

Mr Smitherman: Do you happen to be a hunter?

Mr Nisbet: No, I'm not.

Mr Smitherman: On the issue of broader access to a variety of provincially owned lands for the purposes of hunting or for the purposes of resource extraction, you said with respect to golf that you're not sure you agree 100%.

Mr Nisbet: No.

Mr Smitherman: Can you be any more categorical about your view with respect to enhanced access for hunting or resource extraction on the kinds of lands that you might have the opportunity, as a director of the Ontario Parks board, to consider?

Mr Nisbet: I believe there was an initiative brought in by the provincial government about four years ago, Lands for Life, and I think the idea there was to balance out the desires, needs and wants of the government to maintain or enhance our provincial lands, coupled with the other interest groups: hunters, mining companies and logging companies.

I think we have to be very careful about allowing additional things to be done to our public lands. We know what can happen in other countries of the world and we know what has happened in other countries of the world when there have been no restrictions and when industries have been allowed to just arbitrarily virtually destroy things like rain forests. I think we have to be very careful. I think we have to look at special interest groups, and even the smaller groups of special interest groups, on

an individual basis when it comes to allowing additional hunting, any mining and any logging on provincial lands, and specifically in provincial parks.

Mr Smitherman: The last two years in Ontario have been difficult years from the standpoint of public confidence in the quality of drinkable water. Walkerton obviously comes to mind. But we learned subsequent to that of a variety of properties owned by the Ontario government, many in the hands of the Ontario Realty Corp. A very high proportion, and I'm sorry I don't have those numbers in front of me, of water that was designed to be available for drinking by consumers both of water and provincial parks—we've learned that a very high proportion of those water systems at provincial parks are not producing a quality of water suitable for public consumption.

What's your understanding of the nature of that issue and of the actions that have been taken on the part of the government to restore the quality of drinkable water to those provincial parks?

Mr Nisbet: I can't honestly say I am that knowledgeable as far as what has been done. I can certainly speak to the area in which we have our cottage, which I mentioned is in northeastern Ontario. We are very fortunate. We have a small lake there and it's actually not far from a provincial park, Bon Echo Provincial Park. We are very fortunate in that our lake is a small lake, spring fed, and we are in the top 10% as far as quality and clearness is concerned.

I think we have to be very cognizant of water quality. We have to be paying attention at all times to make sure that is maintained. I really can't comment that much more on the matter.

Mr Smitherman: As a member of this board, would you be prepared to make it—you obviously have a strong commitment; you've analyzed the quality of water at your cottage property and you're very conscious of it. Would you, as a director of the Ontario Parks Board, be someone that I should have confidence would be there with a view to making the quality of water on those sites a top priority for use?

Mr Nisbet: Yes.

Mr Smitherman: I have no further questions.

The Vice-Chair: We'll move on to the third party.

Mr Martin: Thank you very much, Mr Nisbet, for coming this morning. Right off the top, I've looked at your resumé, and other than some of the answers to Mr Smitherman's questions that you are a golfer and that you have a cottage, there's not much in here to indicate to me why you would have an interest in this appointment. So I guess the first question is, why this appointment?

Mr Nisbet: I retired from private practice two years ago, and I'm still looking for challenges. I do a fair amount of volunteer work now, but I'd like to look at any opportunities that are provided to me to do more volunteer work. This interests me, as I indicated, because of the fact that I am a very keen outdoors person, even though I'm not a hunter. I love the outdoors, and I am very keen about keeping it as pristine as possible.

Thirdly, I think I have something to offer. I have a fairly extensive business background, both in industry and in private practice, and I think I have something to offer with my financial and administrative background. So when I was approached about considering this, I grabbed at the opportunity.

Mr Martin: I come from Sault Ste Marie—I actually grew up in Wawa—where we're surrounded by parks and the outdoors, and we take tremendous personal interest in the stewardship of those public lands and become quite concerned when we see them not being used appropriately and people coming to the management of those lands without a complete knowledge of the sensitivity and fragility of the ecosystem there that serves us all. I think you would agree with me that it's the environment that gives life and sustains it, and if we destroy it, we won't be able to get it back.

I know of your business background and accounting background and the fact that you have a lot of talent there. What experience would you bring that would be relevant to the development of provincial parks and actually doing some of the things you said you wanted to do? You talked about pristine and keeping the water clean and all that kind of thing. What background or experience do you have that would serve you in your capacity as protector and steward of those very valuable and important resources?

Mr Nisbet: First of all, I do have some marketing skills, having run a small accounting firm for a number of years and also being in industry for a number of years.

I don't know how to answer your question. The interest is there, and if the interest is there and the passion is there to be involved in looking after our environment, I think I will be able to do the job. I hate to keep referring to our cottage, but we have six acres of bush on our property. Other than an area probably no more than 150 by 150 where the cottage sits, it's all bush, other than the road in, and we have maintained it that way for the past 40 years, and I want to see it left that way. Just a little story: my grandchildren were up there a couple of weeks ago with our son and they saw three deer on the road when they got up in the morning. In that type of thing, you shouldn't take this away from those who follow us. So I feel very strongly that we must protect this and look after it. I think I have the passion to do that.

1100

Mr Martin: Well, you'll have your hands full. When you lead off your answer with the fact that you have marketing skills, that concerns us in the north. We know that there's a balance, and probably letting people know about the wonderful outdoors that's up there is one part of it, but the Minister of Natural Resources for the province is on record as saying in 1996 that Ontario parks would operate like a business. That runs up against the understanding many of us have that parks exist to protect the province's natural features and wildlife and are held in a public trust by the government for present and future generations. How do you balance those two things: running the parks as a business and also pro-

tecting this heritage, this valuable resource that we're given stewardship of for a while?

Mr Nisbet: I think you can run any organization like a business, but some organizations have to be run differently. They can be very successful, yet not make a profit. As I indicated, I have been heavily involved in consulting in not-for-profit organizations and have also been involved on a volunteer basis. I think you have to temper any business decisions you make with regard to something like our park system with the good and the long-term goals, with what you are trying to accomplish.

I would hate to see us ever reach a situation where individuals, residents of this province or visitors, were not able to make use of our public park system because they couldn't afford it. That should never happen. Because they are held in public trust, everyone has a right to use these facilities. I think we have to be very careful about any business decisions we make. I think we should make business decisions, but I think we have to be very careful, with the ones we make, that it is for the good of all.

Mr Martin: Let me tell you that we're concerned up north about that. I'll just give you an example. This summer I had family who live in northern Ontario plus family visiting from Ireland, and we went up to use the great outdoors, the parks. It didn't seem to matter where we pulled up, there was a machine that took money for parking. You could use your credit card. A little swimming hole that we all went to over the years is called Catherine's Cove. It's just a little parking area and there's a beach on either side of an outcropping of stone. We used to pull in there when we were kids. The parents would take us from Wawa to the Soo. We'd stop and have a swim on a hot day. There's a machine there now for a credit card to be put in. You have to pay. I wasn't into any of the remote camping areas that I've gone to over the years, but I'm afraid that if I do go in there at some point there'll be one of those machines in there too, and if I don't put my money in there'll be somebody there being paid to give me a ticket.

I guess I see us going down that road. I understand the need for government to find the money they need to maintain and look after things, but where's the line, in your view, for those of us who call Ontario home, who have some natural ownership and responsibility, by virtue of our citizenship, where those resources are concerned? As you said, you don't want to get to a point where people can't afford it, but we're already moving there, in just the little example I shared with you. Any thoughts on that?

Mr Nisbet: I don't like it, but from a business standpoint that may be the most economical way of doing it. Once again, I think you've got to look at each individual situation when it comes to that type of thing and you've got to deal with it on the most economical basis, but tempered with what the long-term goals are, ie, keeping it pristine and accessible to all.

Mr Martin: If I have some further time—

The Chair: You still have a minute.

Mr Martin: The Lands for Life exercise was huge across the north and had a lot of people involved. At the end of the day there was an agreement between the ministry, the forest industry and what they call a Partnership for Public Lands, composed of a number of environmental groups, naturalist groups, the wildlife fund etc. There is a sense, particularly among those of us who live in the north and want to protect the varied demands on that resource, that in fact some of the agreements made were not made in good faith. We're beginning to see, where it was said there would be no hunting in parklands, that now there will be hunting in some areas, and where mining was to be curtailed, now a message is being sent to prospectors that isn't quite in accord with the agreement that was made.

What is your understanding of that agreement? Have you looked at that in preparation for this appointment? Where would you stand on some of those issues?

Mr Nisbet: I've taken a limited look at it. My understanding of it is that it was created to create a balance, as I indicated earlier, between the maintenance of our public park system and our public lands, coupled with dealing with the special interest groups like the hunters, the miners and the loggers. It was not my understanding that they were saying there would be no hunting and no logging and no mining, but that each application, if you like, or each situation would be looked at on an individual basis and would be dealt with on an individual basis.

I agree with that. I think any time you have a new initiative such as that—and that's been in place, I believe, for about four years—there is going to be a learning curve involved on both sides, and I think both sides have to be in a position to look at each individual situation and make a decision accordingly.

Mr Martin: The accord—

The Chair: That is going to be the limit of your questions, and the limit of all questions that we have.

Thank you very much, Mr Nisbet, for being with us today.

Mr Nisbet: Thank you.

MARK ROCHON

Review of intended appointment, selected by official opposition party: Mark Rochon, intended appointee as member, Ontario Family Health Network.

The Chair: Our next intended appointee is Mark Rochon, who is intended appointee as member, Ontario Family Health Network.

Mr Rochon, you may come forward, please. As you probably know, you have an opportunity to make an initial statement should you see fit to do so. Subsequent to that, there are questions that will be directed to you by members of the committee. You're welcome to get some water to start with. By the way, when we start the questions we will be starting with the official opposition, as we've gone around the rotation. Welcome, Mr Rochon.

Mr Mark Rochon: Thank you. Good morning, Mr Bradley and members of the committee. It's a pleasure for me to be with you this morning. I consider it a privilege to be considered as a member of the Ontario Family Health Network. I believe that the goals of the network are important to the health service system to: improve access, quality and continuity of care; increase patient and provider satisfaction and improve cost-effectiveness through improved communication and alignment of payment mechanisms with the needs and expectations of both patients and providers; and improve access for patients and the work life of those involved in the provision of primary health services.

I've worked in various roles in the health service system for over 20 years. I've held senior leadership positions at the Clarke Institute of Psychiatry, now the Centre for Addiction and Mental Health. I've been the chief executive officer of the Georgetown and District Memorial Hospital, Bennett Health Care Centre and Humber Memorial Hospital; assistant deputy minister of the institutional health group with the Ontario Ministry of Health; and the chief executive officer of the Health Services Restructuring Commission. My current role is the president and chief executive officer of the Toronto Rehabilitation Institute. I'm also appointed as an assistant professor in the departments of health management policy and evaluation and physical therapy at the University of Toronto. I look forward to our discussion and questions this morning.

1110

The Chair: Thank you very much. We commence with the official opposition.

Mr Smitherman: Mr Rochon, I'm not going to vote for your appointment, and I'm not sure if I'm not going to vote for your appointment because of the haphazard job you did at the Health Services Restructuring Commission or if the government did such a haphazard job with the windup of the Health Services Restructuring Commission. But it strikes me, and at the heart of my question to you is, why would you entertain joining again with this government in one more use of your busy time when on the file that you led for them for two years, the Health Services Restructuring Commission, where I note the words "accountable to the commissioners" are highlighted in your resumé, in fact Dr Sinclair, the head of those commissioners, has been highly critical of the way that the government implemented the HSRC recommendations or directions that they felt were appropriate and chose, frankly, not to do others? I'll give you one example before I give you a chance to address this.

As you well know, the Wellesley Central Hospital is in my riding. It recently closed. The HSRC directive on closing that hospital also contained a directive that an ambulatory care centre would be opened and that ambulatory care centre, I think you would agree, would be an important access point when we think about primary health care reform. Nothing has happened three years later. We have some administrators running around,

but we have a community that is dramatically underserved.

Given your past involvement with the HSRC and the way that the government adopted some recommendations at the expense of others, which resulted in a closure of beds before long-term-care beds were opened, causing enormous challenges in the system, particularly here in Toronto, emergency room delays etc, why would you do this one more time? What gives you faith that primary health care reform is anything more than a hollow phrase for this government like "smart growth"?

Mr Rochon: First of all, the work that I was involved in with the Health Services Restructuring Commission was important work that I believe and many others believe was important in the development and evolution of the health service system, and I'm proud of the work that we engaged in with the restructuring commission.

The reason I would like to be involved with primary health care reform is that I believe it's an important element of our health service system. Most of the services we provide in publicly funded health services are at the primary health level, and I believe it's important as our population continues to expand and age that we find better ways of delivering primary health care. The government has committed substantial amounts of money for the development of information technology for primary health care and also to change the payment mechanisms for those involved in primary health care. So they've made a financial commitment to this. From my perspective, it's a very important part of the evolution of our health services system, and I would like to be part of it.

Mr Smitherman: You said that you're proud of your work at the HSRC, but I'd like you to address whether you're proud of when the government shut down the HSRC and took the responsibility for deciding what to implement and, frankly, what to ignore. Are you proud of the way the government dealt with the HSRC directives that were provided to them upon the windup of the HSRC when the minister took that responsibility back?

Mr Rochon: It was always intended that the restructuring commission would come to an end. Legislation that created the commission had a sunset provision that it would wind up four years after its creation, and that's what happened.

Mr Smitherman: What of the directives though? Yes, I understand it is sunsetted, but you guys said, "Do these six things," or eight things, whatever, it doesn't matter what number it is, and they chose some and ignored others. Did they do a disservice to the work of the HSRC?

Mr Rochon: The evidence I see is that the government made certain decisions that in hindsight it felt made sense. It made substantial investments in long-term care. It made substantial investments in home care. In any major health service restructuring or any restructuring of any kind, there are always issues with respect to implementation that you learn from.

From where I stand, I think the question you're asking about government and what it did is a reasonable question for you to ask government. In terms of where I sit on this issue, I believe that the recommendations and the directions we issued were fair and reasonable, were made with the best intentions for the patients and the population, the citizens of Ontario, and I stand behind the recommendations and directions that we issued.

Mr Smitherman: With fairness, I'm asking you a question about whether you're happy with the way that government did it, because you're here as an Ontarian allowing your name to be put forward, and I'm asking you about the effect of your past experience.

Let me just fast-forward, then. You're now looking to take on a gig making recommendations to the government around primary care reform. Based on your past role and the fact that only 2% of the province's family doctors have signed up in this voluntary program, if we had the opportunity to hold you accountable two or three years from now—which we won't—with what confidence would you be able to say that the government has moved forward on this, that they are going to do more than just talk about primary health care reform?

We see that in British Columbia and Saskatchewan those governments have already signed agreements with the federal government to access money to move forward on primary health care reform. We see a Premier who's happy to hammer the federal government, but when there are funds available, as there are in this instance for primary health care reform, we're no closer to an agreement, I understand.

Mr Rochon: We have an agreement with the Ontario Medical Association to move forward with primary health care reform. As I understand it, it's a goal of this government to move forward with primary health care reform and the job of the network is to implement.

I'm interested in seeing implementation occur. One of the principles behind implementation in Ontario is that it's voluntary. To improve the chances of high rates of inclusion of physicians and others, and patients, you have to create a system that makes it worthwhile for people to join up. I think that the provision of flexible funding, different approaches to funding primary care physicians, as well as resources for information technology, are important elements in this, so I am confident that it will happen. I think it remains to be seen what the eventual rate of participation would be across Ontario, but the network is just really starting.

The Chair: We have a little bit of time for Mr Crozier. You have till 11:27.

Mr Crozier: I just want to pick up a bit on what my colleague has mentioned about the 2% that are participating at the present time. As you go into this appointment, what is it that you see is necessary to be done to increase that to a more meaningful number? Two per cent is dismal. The PricewaterhouseCoopers report says that over 70% of the physicians interviewed said their expectations have been met and the patients are

happy, but 70% of 2% isn't very much. So what are we going to do?

Mr Rochon: The 2% is a reflection of the number of physicians who were included in the initial pilot projects, so 2% at this point isn't a surprising number. I think what we need to do, given the experiences from these pilot projects and these pilot sites, is to learn from them—that's the purpose of the PricewaterhouseCoopers review—to take the recommendations from the review and make changes where necessary.

For example, one of the suggestions in the review was that we make the contract that physicians are asked to sign less onerous and that we create a system for patients to roster that's less onerous. I think those are a couple of initiatives we can look at by way of implementation, to make that 2% number grow.

1120

When I talk to family physicians whom I know, they see the need for significant change in the way primary care services are organized and funded. They feel that the current essentially fee-for-service basis for payment doesn't align well with the needs of their patients and their own needs as providers. So I think we need to look at ways that recognize there are no magic bullets in this, that there is no single solution to improving the health service system, and in particular primary health care reform.

For example, I don't think it would make sense for the Ontario Family Health Network to offer only one way of reimbursing primary health care providers. I think there is going to be a mix, and that the mix and the approaches ought to align with the health goals of the system. For example, if you want to encourage certain things to occur, such as screening for certain diseases, there ought to be an incentive built into the way you reimburse people—physicians and primary health groups—to encourage that activity to take place.

Mr Crozier: Well, sir, I can tell you that the physicians I've talked to in this group who are testing this are not happy. I agree with you that there is no magic bullet, it would seem. There's going to have to be some imagination used in how to solve this problem. I guess I've talked to the 30% who aren't happy. Certainly there is one in the Chatham-Kent area, and my information is that it's a dismal failure.

Mr Rochon: I think that in the Price Waterhouse review you will see evidence that the particular method they chose for reimbursement may be part of the problem they're experiencing in Chatham-Kent.

Mr Martin: I don't envy you your task. Primary health care reform has been on the agenda for as long as I've been in this job, which will be 11 years in another week or two. We don't seem to be able to get our heads around it, nor do we seem to have the political will to actually get it done.

Some suggest the problem is the funding to health care. You've heard the term "silos." It goes to different silos that don't necessarily co-operate with each other. As a matter of fact, they're oftentimes in competition with

each other for any extra dollars that may be available to health care.

The agreement that was signed with the OMA to actually move in this direction, I would suggest, belies the history of protectionism that goes on within that organization of the monies that flow. We have a wonderful example in Sault Ste Marie of a community health care centre, the Group Health Centre, which since its inception has fought the OMA and doctors in terms of any little bit of money they might get to actually support what I think would be a wonderful pilot project that doesn't need to be developed; it's already there.

How do we break down these silos? How do we get those groups to actually begin to work together and co-operate so we can get this primary reform done?

Mr Rochon: Mr Martin, that's a very difficult question you've posed. I think silos are a fact of life in almost any organization or system we deal with. In many respects, when you create a system or an approach, you are in part deciding which silos you're going to create and how you're going to manage them. In other words, you will always have silos.

I think one way of trying to break down the ones that exist and that may be getting in the way of the evolution of primary health care would be to create a system and an approach for providers where, when they look at the benefits of going into different practice arrangements with colleagues, they won't do anything but join up. We have to make it easy for them. We have to make it easy for individual practitioners to make decisions that they see in the best interests of their patients, their colleagues and themselves, so that together they can make the system improve. For example, by offering and encouraging physicians to work in groups, like the organization you referred to in Sault Ste Marie, we create an environment where practitioners' quality of life can improve dramatically and the access for patients can improve, because they have ways in which they can get to primary care providers in off-hours—in the evening or at night.

So I think one of the ways we can help to deal with the question of silos is to make the incentives so enticing that people are going to want to join up and patients are going to want to join up as well.

Mr Martin: So you're saying a combination of the voluntary and the enticements.

Mr Rochon: Incentives.

Mr Martin: Do you think voluntary will work?

Mr Rochon: The flip side is, if not voluntary, then mandatory. I think that in a province that's as large and diverse as Ontario, with in excess of 8,000 or 9,000 family practitioners, a voluntary approach is probably the best way to go at it.

Mr Martin: Are you aware of the Group Health Centre in the Soo?

Mr Rochon: Yes, I am.

Mr Martin: Have you been—

Mr Rochon: I've been to the Soo.

Mr Martin: Have you been to visit the centre?

Mr Rochon: I haven't been to the centre per se, but I've met with centre staff in my role with the restructuring commission.

Mr Martin: I would certainly recommend, in the new role you'll probably have after today—I don't sense there will be enough resistance here not to have you appointed—that you go and visit and have a chat with those people. For as long as I've been in this job, no matter what stripe the government, my own included, it seems they've been fighting an uphill battle. They've proven their ability to deliver and to set up an alternate model at the centre. My whole family—I've got four kids; we're all members of the Group Health Centre. They have, I think, 40,000 roster patients, and doctors and nurse practitioners and physiotherapists. They provide a lot of services they normally wouldn't be able to provide because of the unique and creative way they spread their money around and spend it.

Given that you were part of the restructuring commission and the work you've done there, why is it that an operation like the Group Health Centre in Sault Ste Marie cannot seem to make its way forward and be taken at least as a model? It's not one of the pilot projects. To me it's like the nose on your face. Maybe it's too much like the nose on your face. You don't see it because it's there and it functions and it does its job. Why is it that an organization like the Group Health Centre cannot get the recognition that I think it has earned? Why is it that it can't be used as a pilot project and given further opportunity to do even more?

I could sit here for half an hour—because I've worked with them very closely over the 11 years I've been in this job—about the ways they could expand and get into new areas and provide all kinds of services to the whole area of Algoma. Why is it they can't get recognition? Would the reason for them not being able to get the recognition and the battles they've fought have something to do with why we can't get primary care reform on the rails in this province?

Mr Rochon: I don't know how to answer the question about recognition. I think it's an important model to understand and to examine. There is, I suspect, at least 20 years of experience with that model in Sault Ste Marie that we can learn from. I think it's important. Perhaps part of the problem in the past, and this is just speculation, has been that the Group Health Centre and its way of doing business has been the exception. We have the Group Health Centre, we have community health centres in Ontario and health service organizations that all fundamentally deal with various forms of capitation payments. Maybe the issue is that it was the exception.

With the success in the future of primary health care reform in Ontario, the Group Health Centre won't be the exception. In other words, the relationship the payer, the province of Ontario, will have with the Group Health Centre will be similar to the relationships it'll have with other similar groups across Ontario and maybe those battles that you referred to won't exist in the future,

because they're not so much out of the norm of business relationships between physicians and primary health care providers in the province.

1130

Mr Martin: Out of your experience with the restructuring commission, and I'm sure having looked at Sault Ste Marie—it was the last community to have their program laid out—you understand the difficulties that had to have been on the table for you when you came in, because it always is, it seems. When I look at the Group Health Centre in Sault Ste Marie and I talk with some of the doctors who have come to practise there, they tell me about, as you suggest, the benefits of not having to worry when you get up in the morning and go to your building whether the heat is on and the electricity is running and all your staff are in place. That's there. You come in, you walk in and you do your doctoring. You work at your profession. You go home at night and you don't worry about running a business. When you go on vacation there's somebody to pick up the slack.

I suggest the reason that in many ways Sault Ste Marie has been as successful as it has, although we're still short of medical professionals and people have to travel a lot out of our community and that's a huge problem as well, is that the presence of the Group Health Centre has attracted a significant number of doctors to our area and continues to be a very important vehicle of primary care delivery in our community.

What do they need to do? What would you suggest they need to do in order to become the player that I think they have the potential to be in leading this reform that's going on?

Mr Rochon: I think one thing that the Group Health Centre might consider doing is—my answer is based on interviews that I conducted over three years ago, so you have to take my answer with a grain of salt. But I would argue that the relationships among providers in Sault Ste Marie have the starting point of a very interesting health system. The hospitals came together voluntarily to figure out how to work together in the community—I think that was a very extraordinary thing for those two hospitals to do—and overcame decades of competition. We have a very strong Group Health Centre and we have a community care access centre in the Soo that deals with access to long-term care and home care and so forth. If communities like the Soo can figure out ways in which those major elements of the health services system can work better together, I think that would be an important move forward, an important way in which citizens of Ontario can get improved service.

One of the issues we face in health services is the movement of patients through the various elements of the health services system. It's not only the handoff from one provider to another but also issues related to the flow of information and how information moves from a primary health care provider or group to a hospital and back to a nursing home and back and so forth. So those are very important parts of the system that I think can help make it better.

Mr Martin: You'll be happy to know that since your visit two years ago there has in fact been even more co-operation. The hospitals are working very closely with the Group Health Centre now in putting forth models and approaches and supporting each other in their needs for various resources. That's very positive. I think it speaks to the co-operative nature of some of the dialogue, as you suggest has happened in the Soo over a 10-year period now.

But what's the resistance? What's the resistance in government to that model, to the Group Health Centre such that they—

The Chair: This will be the last question, by the way.

Mr Martin: Yes—such that they couldn't get recognized as a pilot project in the, what is it, 13 that were—

Mr Rochon: I can't answer that question. I don't know. I don't know what the resistance, as you put it, would be. To me they are an example of one way of organizing primary health care services. I think it's worthy of our examination in the network to see if there are lessons that we can learn from the Group Health Centre in Sault Ste Marie that could be emulated in other parts of the province.

The Chair: Thank you very much, Mr Martin. We will now move to the government members, and Mr Wood.

Mr Wood: Do you think the goal of 80% participation by GPs by 2004 can be achieved?

Mr Rochon: It's ambitious, Mr Wood. I don't think I know enough to tell you if we can achieve that yet. We're just starting to get organized. It's going to be an ambitious goal; 80% is a lot. It means that major communities like Toronto, Ottawa, London, Hamilton need to have extraordinary participation by citizens and by primary health care providers to meet that goal. In dealing with communities of 400,000 or 500,000 to 2.5 million, organizing something like primary health care is a daunting challenge.

I think it is a reasonable goal; whether it can be achieved in 2004 or whether it's 2005 or 2006, I really don't know. But to make a difference, we need significant participation by primary health care providers. So I think that a goal of 80% is a reasonable one.

Mr Wood: Do you see primary care reform as achieving savings, and if so, where?

Mr Rochon: No, I don't see it as achieving savings. I think its main goal is to improve the system; it isn't about saving money.

Mr Wood: Do you see the costs as being likely to go up as a result of primary care reform?

Mr Rochon: I think that what we may see in the future is cost avoidance. In other words, if we do a better job at organizing primary health care services, we may be smarter at spending scarce resources in the future.

Mr Wood: Together, what I think I heard you just say—and perhaps you can confirm this if I got it right—you think that the costs won't go up as much as they might otherwise have gone up.

Mr Rochon: That's correct.

Mr Wood: OK. In marketing primary care reform to the physicians, what do you see as being the key messages that are important in that marketing effort?

Mr Rochon: To physicians? I think one is it's better for their patients because it brings together groups of physicians to help care for patients. I think it's better for physicians in terms of their lifestyle, in terms of their ability to have confidence that when they are not at work, are not answering the phone, their patients are being appropriately cared for by a colleague. I also think it will improve their own quality improvement processes, because groups of physicians together can learn from one another and can benefit from each other's experiences.

I also think that it would allow physicians to spend time where they think they need to spend time with their patients. In other words, being paid in a way that is more in keeping with the needs of their patients would allow them to align their own schedules and timing so that the patients are better served.

Mr Wood: What do you see as the key marketing messages to the patients?

Mr Rochon: That they'll get better access; that they'll have opportunities to be helped and looked after when their own physician is not available, but their information will be available to a colleague; that the physicians may not be as rushed as they might otherwise be; that, in the long run, as individuals age, they can be confident that the system that they'll be part of will adapt to their needs as well.

Mr Wood: Those are my questions.

1140

Mr Bert Johnson (Perth-Middlesex): Mr Rochon, I wanted to make a comment about your appointment and that was that I didn't want to hold you responsible for all of the shortcomings of the restructuring commission—and there were some—any more than I wanted to grace you with all of the successes, of which there were many. What I wanted to do was to listen to you today, read your resumé, use the experience I've had with you, sitting in on some of the restructuring work, and make my mind up on the job that I think you will do on this very important quest that is on.

I wanted to tell you that I'm gratified to hear the way you've answered questions and conducted yourself here today, along with my other knowledge, and it will be a pleasure to support your appointment for me personally.

Mr Rochon: Thank you.

The Chair: Further questions from government members?

Mr Wood: We will waive the balance of our time.

The Chair: Thank you, Mr Rochon, for being with us today.

Before we move to our next intended appointee, I just want to alert members of the subcommittee that it would be valuable immediately after this meeting if members of the subcommittee could meet briefly to discuss scheduling, which is always tricky when the House isn't sitting. We have other obligations as well in terms of having to

extend limits and so on. Mr Wood, did you have a comment?

Mr Wood: Given the fact that this may require unanimous consent, I wonder if we should do this with the committee as a whole. We may have to extend some time on this depending on what decisions are made with respect to the next sitting date.

The Chair: I think that's a good suggestion, Mr Wood. Because of the schedule of members earlier in the summer, we've sometimes had difficulty being able to contact members who are with other committees or fulfilling other obligations as members of the Legislature. So I think your suggestion is one that we should agree with. So at the conclusion of our business today, that is, the intended appointments, we will have the committee deal with the issue of further scheduling, the issue being trying to have as many people as possible before the committee, not stacking up as we sometimes end up doing, and whenever possible not having to extend the period of time. We want to accommodate both the needs of the committee and the order in council passed by cabinet to have a person there as quickly as possible if approved by this committee.

SAM CUREATZ

Review of intended appointment, selected by official opposition party: Sam Cureatz, intended appointee as member, Ontario Review Board.

The Chair: Our next intended appointee is Mr Sam Cureatz. He's an intended appointee as member, Ontario Review Board. Mr Cureatz, you may come forward, sir.

Mr Sam Cureatz: May I help myself to a glass of water?

The Chair: You certainly may. This is just between Mr Cureatz and me, but I hope you didn't bring a seagull with you today.

Mr Cureatz: As a matter of fact, I was hoping that after the review I might have a little presentation for you.

The Chair: The background to that, for members of the committee, is that when Mr Cureatz was a member of the opposition and I was the Minister of the Environment, he was asking about a problem with a landfill site and he sent across to me in the Legislature at that time a seagull. I don't know who had constructed it; it wasn't live. But he sent across a seagull to emphasize his point. I thought it was very innovative. Members of the present Parliament should know that would be considered a prop and would be out of order.

Mr Dunlop: You would use those.

The Chair: I thought it rather innovative at the time and it certainly would not prejudice, were I a voting member of this committee, the way in which I would vote in the committee. Welcome to the committee, Mr Cureatz, and welcome back to your old abode of the Ontario Legislature.

As you know, you have a chance to make an initial comment, should you see fit to do so. Subsequent to that, there are questions from each of the political parties

represented on the committee. At the end of the deliberations today, members make decisions on intended appointees. Welcome to the committee, and we're happy to hear from you.

Mr Cureatz: I do have some opening comments—I hope they're not too lengthy—with regard to the possible appointment of myself to this board.

Ladies and gentlemen of the committee, I would like to thank you very much for the opportunity you've given me in terms of allowing me the chance to be interviewed and to express some thoughts about the possible final conclusion to my appointment to the criminal review board. I want, however, to make a comment to all of you individually. I've had the wonderful opportunity of serving in this Legislature for almost half of my working life. As in all jobs, there are good aspects and bad aspects, but I want to say to you that I know very well the hard work you do brings you satisfaction at the end of the day.

Generally, I have nothing but fond memories of my service to the riding I represented and to all the people of Ontario in the various capacities I held here. Nevertheless, I also want to remind you that there is life after politics and, notwithstanding having served in the assembly for almost 14 years, it has been almost 14 years since I retired. In a lot of ways, when I look back, it seems like it never did happen and that I have developed a whole new career in my law profession.

I brought with me a complete resumé, of which I have copies for those of you who would like to review it now or after the session. Let me just mention a couple of things to give you an overview of who I am. My wife and I and my three sons have been residents of the village of Newcastle community, after my graduation from Queen's law school, for 30 years now. I began my practice of law in 1975 but was elected to provincial Parliament in 1977.

Over my 14 years, I had a wonderful opportunity, as many of you have, of serving in various capacities on behalf of the people of Ontario. For me, two of the highlights were serving as Deputy Speaker for almost half of my entire 14 years at the Legislature under two different administrations. I might add that the first administration was under William Davis, a Progressive Conservative Premier. I was nominated by the then House Leader for the Progressive Conservative Party, Tom Wells, and seconded by the Liberal Party leader, Bob Nixon. Secondly, I served as Deputy Speaker and Chairman of the committee of the whole House under David Peterson, the Liberal Premier. In addition to that, for a very brief time in 1984-85, I was minister without portfolio serving under Premier Miller as Minister for Parliamentary Reform.

I bring this to your attention for a particular reason. As I am sure you are well aware, the criminal review board is structured according to the Criminal Code, and the particular section is 672.38. I have, of course, had the opportunity of reviewing the section of the code and by no means do I claim—and I emphasize this—to be an expert in this section. Mind you, there are particular

provisions where it is recommended that a lawyer of good standing of the provincial bar, where the review board is being set up, is part of the prerequisite terms of a panel being struck to review particular cases and render a disposition. As you know, I fall within this designated category.

However, what I found interesting was that under the "Synopsis" section in the Criminal Code—and for those of you who haven't had the chance, it's a big book—in 672.54, there is a particular notation that the board structure is not adversarial. I was very enthusiastic about that. I felt very comfortable when I read that because, in terms of my past experience, the work I always felt best at was not in an adversarial position, and that includes working here in Parliament which, as we all know, tends to be very adversarial.

Both of my positions as Deputy Speaker meant having to work with all parties, with individuals of various concerns. I, and I believe the record stands me correct, never had to expel a member from the Legislature for disrespect to the Chair or on any of my rulings. Further, my appointment for parliamentary reform was part of the unfolding, of opening up the Legislature to include, amongst other things, television broadcasts. Unfortunately, my term was short-lived with the loss of the government, but I had written a particular article that was published in the *Canadian Parliamentary Review*, of which I have brought along a copy for those of you who are interested, outlining that, generally speaking, there should be continued openness in our parliamentary process.

1150

I have a comfort level that I not only meet the requirements in terms of being a barrister and solicitor sitting on the board, but I also have the past experience of being able to balance and listen to, not in an adversarial position, the concerns I have expressed, certainly those that would be forthcoming rendering dispositions. I'm getting used to using the word "dispositions," as under the Criminal Code that's what a judgment is referred to in terms of the review board; it's a disposition, not a judgment. I'm so used to saying the word "judgment."

It will have to be a very balanced view taken in terms of protecting the public and the liberties of the individual in question. I feel very confident that I'll be able to meet what is requested of me under these two concerns. I might add further that I have had the pleasure of being appointed as a deputy judge under the Attorney General, Howard Hampton, during the Bob Rae administration, and I've sat so for almost eight years. The deputy judge position has been with the Small Claims Court and, if you have been following recently, the limit has now been raised to \$10,000. I can assure you, on behalf of all deputy judges of Small Claims Court, that we do yeoman service in terms of giving assistance to people to try to make the legal process as gentle as possible so that they have an avenue available to them without extraordinary legal costs. That process often involves the judge—

myself—acting on behalf of the plaintiff, then acting on behalf of the defendant and then rendering a decision.

Of course, my continued involvement with the community after my retirement from politics, such as acting as director of the Oshawa-Whitby-Clarington United Way and as a member of the co-op and fundraising committee for the expansion of Durham College and the progression to university status, has helped me in a general way to have a continued hands-on involvement in our ever-evolving society. With this balancing over many years, again, I feel comfortable that this has put me in very good stead of sitting on the board of review for which I am being considered. The board, of course, does not necessarily fall under the traditional government board. The board falls within the federal jurisdiction of the Criminal Code, to be administered by the provincial government.

Again, I would be remiss if I told you I have had extensive experience with the board or in representing individuals appearing before the board. However, at first blush I am wondering how many lawyers really have had the privilege and opportunity of representing such individuals. I say this because for all practical terms, no doubt, the individuals in question have limited resources and possibly at the most rely on their solicitors who have made applications on behalf of their clients to the legal aid plan. I do not want to tell you about the difficulties involving the finances of those lawyers who practise extensively in criminal fields and who rely heavily on the funds provided by legal aid services. Regrettably, those funds often fall short of what it costs to run a law office today, and I'm so aptly aware of that nowadays.

I guess what I'm trying to say is that I do not feel too embarrassed about the fact that I've not had first-hand, hands-on experience representing individuals at the board, but I'm wondering how many lawyers do have such experience. I say that because when I was reviewing part XX of the Criminal Code, particularly section 672.25—again, I'm not bringing out these particular numbers to show that I've got some great credential in pulling out the various sections, but only that in this particular section it says that where there is an extensive detail regarding the manner in which, if an individual is not represented by counsel, how counsel would be appointed either by the review board or the Attorney General's office. This says to me that from time to time it has been difficult to get counsel to represent such individuals, and then it is beholden to a process to ensure that individuals are represented by counsel.

In summation, I feel very comfortable that I'll be able to perform my appointment with fairness, humility, understanding and compassion, all on behalf of you and the people of Ontario. I thank you for the opportunity of allowing me to make some introductory remarks. Some of you may have some inquiries of me.

The Vice-Chair: Thank you, sir. We will begin the caucus review with Mr Martin.

Mr Martin: Thanks for being here today and for your obvious long service to the public good of the province.

This is a tough appointment; in my view, one of the tougher challenges one would want to take on on behalf of the public. I'm just wondering why you would want to do this.

Mr Cureatz: That's a fair question; I appreciate that very much. As a practising sole practitioner in the village of Newcastle, and as I indicated to you, I feel in a lot of ways that my political experience is now well behind me and that I've well established myself in my legal career. I'm sorry, Mr Martin, I don't know your background—I know you're from Sault Ste Marie—but for me it's always of great interest to continue to expand my legal knowledge and to have the opportunity to combine that with serving the people of Ontario.

In my community, in the region of Durham, we have the Whitby Psychiatric Hospital. I had the opportunity, of course, when I was the member to visit the institution a number of times—under all administrations woefully underfunded, and it continues today with concerns. It just so happens in a local paper back in July: "Who's Keeping an Eye on Criminally Insane Patients?" I feel, with the ability I've had first in serving here at Queen's Park and now with my legal background, that I would be able to help my own community, the region of Durham.

I don't know, but I understand there's a training process for those people who are appointed to this board. Part of my jurisdiction would be reviewing and giving dispositions on people at the institution that's within my community. It would allow me an opportunity to have, first, hands-on input in terms of concerns that the community has about the Whitby psychiatric institution, and secondly, embarrassing enough to say, it gives me the opportunity of expanding my legal field.

Mr Martin: Again, in keeping with my comment earlier that this will be challenging work for you should you be approved here today, from what I understand it's a constant balancing of interests. On the one hand, it grants persons deemed to be not criminally responsible for a crime a host of procedural rights and guarantees; on the other hand, the board is charged with the duty of assessing the accused's potential dangerousness to society when making a disposition. How are you going to do that?

Mr Cureatz: I think you've got the nub of the reason for the board. I read some history when I was the member in terms of the Lieutenant Governor's warrant, and the Supreme Court of Canada directed the provinces to go through a different process. I think this new process is worthwhile. A continued review of patients who are incarcerated in institutions centres in on an evolving society, that, notwithstanding the patient's individual problems, their liberties should still be attended to in terms of legal representation and continued monitoring, not only for their health but for their legal status. As you well put it, how do you do that, balanced against the local community's "Who's Keeping an Eye on the Criminally Insane Patients?"

The immediate knee-jerk reaction by the public out there—I might be wrong—would be, "Put them away

and throw away the key." I don't think that's fair. We have to look at each individual case. Certainly I know, sitting as a deputy judge, when we have a long caseload, notwithstanding that, I give to each individual case my full attention and try to do the best I can in terms of resolving the difficulties at hand.

That's the best I can answer you about how to approach giving a disposition on an individual who appears before the board. I see there are now some new innovative avenues available: the passage of what's referred to as Brian's Law by the federal government, the opportunity of ordering drugs to try to give assistance to those who are incarcerated. But this is new, and I think we don't have a background of precedents yet to see the success rate.

After that discourse, I think you're entitled to a quick synopsis. I guess for me the quick synopsis is that I would err at the beginning, as I learn the process, on being small-c conservative, with openness to the individual who is being reviewed, to have the case presented and to weigh heavily the possibility of the individual's having been rehabilitated and being allowed back into the community.

It's not so easy to say how you are going to do that. I think each individual case is going to have to be examined carefully, weighed and, for me personally at the moment, I will err on the side of caution. As I learn the process and feel more openness to psychiatric input, probably relying heavily on what they have to say, and get a comfort level, I would then feel that a possible disposition of greater leniency, of being allowed back into the community, would be forthcoming from me.

Does that help? I know it's a long answer. I'm struggling with it myself. I really am. I'm looking forward to the opportunity, though, to continue to struggle with it if I'm allowed that opportunity.

1200

Mr Martin: In your mind, is there any circumstance when society would turn its back and just walk away from an individual?

Mr Cureatz: I hope never, not for me.

Mr Martin: There would never be a circumstance where that would be—

Mr Cureatz: No, in terms of my political representation of individuals from all walks of life, which I know Mr Martin and all of you have probably had, in terms of my law practice—many people still think I'm in politics and come to my office. I give them assistance and direction. There's a phrase in law, *pro bono*, which means acting on behalf of someone and not charging. In a small community, I have to tell you, I did that regularly. I don't say that in terms of patting myself on the back. I'm just telling you that's the kind of person I am. If I'm not able to help them, then I give them direction as to where they can get help, and that's for people from all walks of life.

Mr Martin: You mentioned Brian's Law. That's a provincial statute that was passed here by this government, not without a great deal of debate back and forth

and concern from many groups out there interested in the rights of all individuals to proper process and support. Do you think Brian's Law will be helpful?

Mr Cureatz: Yes, I do. I don't think we have had the opportunity of getting a bank of precedence on individuals so that we have a greater comfort level—which brings up another area. Here I'm bringing out frustrations that I have about the board and the process, because it's very onerous in terms of the kinds of people you're dealing with. That is, are we keeping precedents? Then, do we monitor and release any statistical information pertaining to what has happened from the board and these individuals? I'd still like to have the opportunity to sit on the board so I can evaluate whether it would be helpful for the general public to have statistical information.

With regard to my past experience of openness, I don't think we should be frightened of the knowledge we're acquiring on whatever the board is, be it this board or some other board, and should share that knowledge with the general public. But I say that with a caution, that I'd like to get a better comfort level—I don't mean sharing statistical information so that individual rights are infringed upon, but more statistical information so that we have a comfort level. Is Brian's Law successful or not? I think it's a little early in the process yet to really evaluate its success.

I do know that when I was here, the legislation was passed so that generally, if I recall, there were some severe limitations, both for the police and family members, on being able to aggressively institutionalize people who are mentally ill. After my departure, continued interest and, I guess, pressure had forced the government of the day to re-evaluate and not make it as onerous—and that would be subsequent, also bringing in Brian's Law.

All these factors are still new. Generally speaking, the review board is pretty new, and I think it's going to be a learning process for the review board and the public in general to see if the needs are being met, both for the people who are appearing before the review board and for the people of Ontario. If not, I've had the opportunity of speaking with Justice Carruthers, who is the chairperson of the review board, and whether it's he or another chairperson sometime in the future—I don't know whether he has made recommendations to the government yearly or bi-yearly, but certainly it would be in the interest, I think, of sharing information and making recommendations that the board should be altered in such a way, or this way, or fine-tuned, for the benefit of those appearing and for the public in general.

The Vice-Chair: Time has expired, Mr Martin.

Mr Wood: We'll waive the balance of our time.

Mr Smitherman: Welcome to the committee. Isn't Newcastle all just Courtice now?

Mr Cureatz: That's a good question. Actually, no. It's very confusing. Under Darcy McKeough, when we regionalized, that big block of area—and I don't mean to divert but for a minute and a half—east of Oshawa

became the municipality of Newcastle. That's where Courtice was located. But there was also a village of Newcastle, which is near Port Hope, but the village was within the town of Newcastle—that's what it's called. So after a 10- or 15-year process—I think the confusion is still with the community of Durham near Collingwood and the region of Durham. They haven't resolved that one yet. They resolved ours by changing the name from the town of Newcastle to the municipality of Newcastle, in which there are local communities, one of which is the village in which I live and the other is the Courtice area in Bowmanville.

Mr Smitherman: Thanks. Is there a big homelessness problem there?

Mr Cureatz: Not in the village of Newcastle, no. It's a thriving small community of 5,000 people. But some of my practice does extend to the city of Oshawa. In my representation for three terms I shared the city with Mike Breaugh, whom I got along with very well, by the way—the NDP representative—and I still have occasion to be actively involved in the community. I don't have a hands-on response. Is there a great homelessness problem in Oshawa—

Mr Smitherman: How about Whitby?

Mr Cureatz: That is farther away from me and I feel less comfortable answering that about Whitby.

Mr Smitherman: It gets to the heart of the questions I'd like to ask you. Mr Johnson and I were entertained by your talk about the adversarial nature of this place, but we met up in Nebraska and we basically love each other. I found interesting the work you did on parliamentary reform. I think you'd be disheartened by what goes on around here now.

Mr Cureatz: I'm sorry to hear that.

Mr Smitherman: Let me just say that with respect to Brian's Law, I voted for Brian's Law although not all members of my party did, in part as a show of faith that a legislative prescription might provide an opportunity for a limited number of people who are a risk to the community, and more particularly to themselves, that they might be forced and therefore available to obtain services which they weren't otherwise accessing, services that were designed to improve their state of mental health.

I'm not sure statistics have been compiled well, but I understand from Bridget Hough, who is the executive director of the Toronto chapter of the Schizophrenia Society of Ontario, that since this bill was given royal assent closing in on a year ago, something like 20 community treatment orders only have been—

Mr Cureatz: Does that mean for individuals?

Mr Smitherman: Yes, 20. So 20 individuals, in other words, have had community treatment orders written, and that's across the breadth of Ontario.

Mr Cureatz: I'm shocked, actually.

Mr Smitherman: Let's not pretend that Brian's Law has so far for very many people provided enough help.

You're in my riding. I represent Toronto Centre-Rosedale, which would have been mainly Susan Fish's

territory, I think in the days that you were here. You would probably well know that my riding is home to the largest concentration of hostel shelter beds in Canada and a variety of other services that tend to be focused on people, including people who have been discharged from mental institutions in the absence, in my opinion, of adequate community supports. At the heart of my question is what your attitude would be in determining the appropriateness of release, determining the adequacy of community supports that are specifically available where additional resources can be called in to assist individuals. I guess I'm thinking about family or specific relatives who are offering something in addition to the existing services that are available in communities, because I do very much fear that the absence of services in some communities has meant that the concentration of people who are challenged is occurring, frankly, in places, and that if you hit a critical mass of people like that, you begin to impact the quality of communities.

1210

In other words, my residents, the residents in Toronto Centre-Rosedale, I think are very happy to—they recognize the historic role that our neighbourhoods have played in being home to transient people, a lot of new Canadians, and we take pride in the nature of our communities. But if you hit a certain critical mass where there is too strong a demand on a community and its resources, the net effect is a deteriorating quality of life in those communities which in fact imperils the potential that these newly released folks might have of making a successful transition to broader society. If you look, as an example, at the very strong connection between addiction and mental health, unfortunately many of the people who are being released from institutions, including jails, are being released into areas where there is a concentration of criminal activity and too often drugs.

I've gone on longer than I should have.

Mr Cureatz: No, and as a matter of fact I must confess to you that I hadn't made the jump yet in terms of the role of the board and, if you make a disposition, what's the seriousness of the outcome? That's what you're really saying, and I'm glad you brought that to my attention. I've just made a few notes: the need to follow up with the disposition of the placement in the community. What happens in the community? Can the community handle the situation? Are there resources available in the community? I'll remember all that you've said. I don't have a comfort level yet, not having a hands-on working familiarity with the board, that these kinds of questions can be followed up, but you're absolutely right: what's the use of having a comfort level, a feeling that a disposition can be made on behalf of an individual that he or she might have the privilege of going back into the community, if they don't have the support in the community, be it closeness to hospitals or family members? I don't know what the structure is there but it sure doesn't make much sense if you allow people who have been incarcerated back into the community and

there is not the support for them so that they can rely on continued help. That's not going to solve the problem.

Mr Smitherman: I asked the question about Whitby earlier because it strikes me that sometimes communities—let's talk about a Durham region context. I know Durham region reasonably well. I have family in Oshawa and served for a couple of years as my party's critic for the GTA and spent a lot of time in Durham region. If I think about Whitby, I think about an affluent community of mainly single-family houses that are owner-occupied and with a very low proportion of tenants and an even lower proportion of affordable housing. In a sense, Oshawa is the community that has been forced to take on Durham region's responsibilities for the provision of social services, often, in my opinion, at the expense of Oshawa's reputation among those other municipalities; that Whitby is allowed to talk about itself with its very high level of household income while Oshawa—

Mr Cureatz: Bears the brunt of those responsibilities.

Mr Smitherman: —bears the brunt. What about, then, taking a look at trying to make sure that we determine the—

Mr Cureatz: Spread the responsibility.

Mr Smitherman: And that we determine the origins of people who find themselves in need of additional social services.

Not very many people in my riding are from Toronto Centre-Rosedale; not many people were born and bred there. I'm from Etobicoke. But it is a place where there is this perceived warmth or accommodation that comes from the anonymous areas of a downtown. You know that's occurring in Durham region. If we're going to have successful transitions, particularly for some of these people who have been committed with very serious concerns about their potential for causing harm, it strikes me that we need to work very hard to make sure that there is a more adequate system of support that is broadly spread. Reconnecting these people with their roots and with those additional resources, those family resources, trying to work toward reunification and looking expressly at that is a way we can begin to reverse the trend we have in our province toward creating ghettos—and that's not a word I use lightly—in our urban areas of neighbourhoods where more affluent people draw an imaginary line around them and avoid them. That is unfortunately the effect of what we're doing by allowing these concentrations to move on.

I support additional resources for homeless people and I think we have a responsibility we're failing on. This government tried to embarrass me when I refused to support turning an empty hospital into a hostel for 500 people, which is a mass of people in need who ought not to be housed in that number. Everywhere we've done that it's been a failure, both for the residents and for the local communities. So I would ask you, encourage you, implore you to be conscious of that. I would be very grateful, as part of the training process you spoke of, to give you even an hour or so of the flavour of the kinds of challenges that the constituents of Toronto Centre-Rose-

dale and other ridings like Trinity-Spadina and Parkdale-High Park are experiencing here in the city of Toronto. We've got to do a better job of connecting people with supports that are adequate to their needs, and we're not doing that.

Mr Cureatz: Well, Mr Smitherman, you're inviting me and I would like to take you up on that invitation in September.

Mr Smitherman: Good. Thank you.

The Chair: We now move to the governing party.

Mr Wood: We've waived our time, actually.

The Chair: You've waived your time? I was not present at that time. That completes our discussion with Mr Cureatz.

Mr Cureatz: Is this part of the program over?

The Chair: This part is over.

Mr Cureatz: If I might, and if we're not on the record—if we are on the record, I won't say anything untoward.

The Chair: Everything is on the record.

Mr Cureatz: I never did have a picture of that eventful day in 1988 when Metro Toronto was thinking of putting a landfill site in my riding, but I did have it on video. The video crew very kindly donated it to me as a keepsake. I went out specifically and got a still picture. Unfortunately, they gave me the video of myself but not the video of you holding the apparatus in question.

The Chair: Thank you. I'll let you make this presentation. It's unorthodox but—

Mr Cureatz: I've got the picture of me presenting it to you.

The Chair: Thank you very much. That's a very good photograph.

Mr Smitherman: What happened to your hair?

The Chair: I should note, because I think this is broadcast province-wide, that Mr Cureatz's hair was darker then, as was mine, I think, at that time. But this was very interesting. It's a fascinating part of our job that we can be in opposition and in government and have our confrontations at certain times and we still are able to have many humorous moments in the Legislature and in legislative committees.

Thank you very much, Mr Cureatz, for being with us today. You may step down and we will now engage in our deliberations. I will pass the photograph around.

Mr Cureatz: I remember, Mr Chair, that your comment when I presented it to you was—I gave you a seagull and you said, "There is a gull, there is a B gull but not a seagull." You forgot that, I can see, but I remember it.

Mr Smitherman: It wasn't funny then and it's not funny now.

The Chair: It's one of those witticisms. Thank you very much, Mr Cureatz.

Members of the committee, we will now move to the consideration of the appointments and, subsequent to that, at Mr Wood's suggestion, we will determine, as a committee, our future schedule.

Our first intended appointee was Mr Bob Pennock, intended appointee, Ontario Parole and Earned Release Board.

Mr Wood: I move concurrence.

1220

The Chair: Concurrence has been moved by Mr Wood. Any discussion of this appointment of Mr Pennock? Any comment or discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

The second one we will consider is Marc Coombs, intended appointee as member of the Township of Cramahe Police Services Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? Any comment? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

The third was Mr Ron Nisbet, intended appointee, Ontario Parks Board of Directors.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion?

Mr Smitherman: A comment, Mr Chair.

The Chair: Mr Smitherman and then Mr Martin.

Mr Smitherman: I'll be voting no to this appointee because I felt that the answer to a very basic question, which was with respect to an issue that he knew well was a local issue related to the government's toying with the idea of selling off part of Bronte Creek Provincial Park to a golf course developer, did not meet with his full disapproval, and that, for me, was a litmus test of him being able to properly conduct his important responsibilities. So I will not be supporting this appointee.

Mr Martin: The oversight of parks is of particular interest to any of us who call northern Ontario home. As this government moves to define northern Ontario as most of Ontario now, it should be a concern to even more people.

Even though I believe Mr Nisbet to be a decent and honourable person who may in fact do a fair job, he has really no background, other than he has a cottage and he likes to golf, in this very important and complicated work that needs to be done, particularly given the scenario that's unfolding out there with this Lands for Life and Living Legacy, and, I suggest, the battle that's looming between some of the parties that in fact actually signed on to the agreement to launch the Living Legacy initiative.

So I think we need to be appointing to the Ontario Parks Board of Directors people with greater experience and knowledge and understanding in this area. I would hope that the government, if Mr Nisbet doesn't get appointed or if there comes another opening in the not-too-distant future, would look to the north for some appointees to that board. Some of us who have worked very hard over a long period of time to be good stewards of that essential and very important resource that supports life, whether it's water, air, the ecosystem or the animals that we all depend on and live alongside of,

have, just by the very nature of where we live and our day-to-day activity, a tremendous amount of experience and knowledge and understanding in those areas, and not many of us get appointed to these boards, it seems.

So I won't be supporting Mr Nisbet's appointment, even though, as I said, I found him to be a very decent and concerned individual. I appreciated some of the stories that he told, but I just don't think he's got the background and the experience necessary to carry out the job that will be required of this board as we move forward in defining and governing the park areas in the province.

The Chair: Thank you very much. Any further comment? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

The next is Mark Rochon, intended appointee as member, Ontario Family Health Network.

Mr Wood: I move concurrence.

The Chair: Any comment?

Mr Smitherman: I also request a recorded vote on this matter, Mr Chair.

I'm astonished that someone of Mark Rochon's experience—and bad experience, in my view, in relation to this government—would come forward suggesting that he's an appropriate candidate-proponent based both on his past experience with the Health Services Restructuring Commission, where the government gerrymandered that process to the point where it selected some items and not others to the effect that it caused very significant problems in our health system. Some of those problems continue to manifest themselves in my riding as of today. I was disheartened by the efforts to which Mr Rochon went to dodge the essential question that I asked of him, which was why would you allow yourself to stand again when the work that you did last time and that you professed to be proud of was butchered to such a great effect by the government.

With respect to the issue of primary health care reform then, it raises questions in my mind about his capacity to have the government implement what those folks in the field who are specialists—people like him—are bringing forward. I don't have the confidence in his ability to do that because he demonstrated to me today, like so many other of the heads of institutions which are entirely dependent upon the government for funding, an unwillingness to call a spade a spade. I think that he, frankly, lacks what we need in primary health care reform, which is someone to help to steel the government, to give life to the words they use all too frequently. So I find that, notwithstanding his broad experience in the health service, his reluctance in being forceful in his dealings with the government make him an unsatisfactory candidate.

The Chair: Any further comments? If not, I'll call the vote, and there has been a request for a recorded vote.

Ayes

Dunlop, Johnson, Molinari, Wood.

Nays

Crozier, Martin, Smitherman.

The Chair: The motion is carried.

The next intended appointee is Sam Cureatz, intended appointee as member, Ontario Review Board.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any comment?

Mr Smitherman: I came with an open mind today toward this appointment because I remember that—

Interjection.

Mr Smitherman: Garfield wouldn't know anything about an open mind. I remembered that—

Mr Dunlop: I most certainly would.

The Chair: That is out of order.

Mr Smitherman: I remembered that my former boss Hugh O'Neil always said nice things. But here we are and I must say that we're five for five yet again on a government that can seemingly only find white males as appropriate for appointment. I'm going to support this one, but on a day when we have five appointees and two of them are former Conservative parliamentarians, I think there is a message here that is sent to Ontarians that it's business as usual with the Family Compact well entrenched. I would just say to the government that if they're having such a difficult challenge finding candidates who are more reflective of the breadth of Ontario society, then we'd be very happy to help them.

The Chair: Thank you for your comments. Any further comments? We will call the vote, then.

All in favour? Opposed? The motion is carried.

That concludes our consideration of intended appointees.

We will now move to the issue of scheduling. Mr Wood, did you have an initial comment?

Mr Wood: I would think, looking at the calendar, that the two weeks we might look at would be the week after Labour Day or the week after that week. If we go to the second of those two, I think we have to extend time for consideration. I don't have a strong view one way or the other as to those two weeks, but it may well be that other members of the committee do.

The Chair: I will try to get some comment on that, because if we can try to develop a date now that may be acceptable, we can do that.

Mr Wood: That is what I was going to suggest. That's what I was leading to.

Mr Martin: Either of those two weeks is fine.

Mr Crozier: We'll do our best. I know my colleague here this morning, Mr Smitherman, is subbing in, so I don't know about Ms Dombrowsky. I won't be available in those two weeks, but I'll see that there is a substitute available.

The Chair: There will be a representative of the official opposition there. That's fine. Any further comments, Mr Wood? Any specific suggestions?

Mr Wood: I was wondering about the Wednesday after Labour Day.

The Chair: Wednesday, September 5. Is that a problem for anyone here that we can see? If it is not a problem, then can we agree? Shall I put it to a vote that the next meeting will be Wednesday, September 5 at a time to be determined by the committee? Is there a suggested time, Mr Wood?

Mr Wood: I like what you just said.

The Chair: At a time that will be agreed upon by the members of the subcommittee?

Mr Wood: I leave it to the Chair.

The Chair: OK, to the Chair, that's even better.

Mr Wood: Any reasonable time determined by the Chair.

Interjections.

The Chair: The Chair will be very reasonable, I can assure you of that. I always like to see that members have sufficient time to be able to get into the city of Toronto for this purpose.

That's good, I think that'll be a good time. We will not require an extension, then. I'm sure that each of the caucuses will be appropriately represented.

All in favour of that motion, by the way, by Mr Wood? The motion is carried.

Any other business to come before the committee? If not, I'll accept a motion of adjournment from Mr Martin.

Mr Martin: I move adjournment.

The Chair: All in favour? The motion is carried. The meeting is adjourned.

The committee adjourned at 1231.

CONTENTS

Wednesday 22 August 2001

Subcommittee report	A-161
Intended appointments	A-161
Mr Bob Pennock.....	A-161
Mr Marc Coombs.....	A-165
Mr Ron Nisbet.....	A-167
Mr Mark Rochon	A-170
Mr Sam Cureatz.....	A-175

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Garfield Dunlop (Simcoe North / -Nord PC)

Mrs Tina R. Molinari (Thornhill PC)

Mr George Smitherman (Toronto Centre-Rosedale / Toronto-Centre-Rosedale L)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-12



A-12

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 5 September 2001

Journal des débats (Hansard)

Mercredi 5 septembre 2001

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 5 September 2001

Mercredi 5 septembre 2001

The committee met at 1005 in room 228.

INTENDED APPOINTMENTS

EVELYN DODDS

Review of intended appointment, selected by opposition party and third party: Evelyn Dodds, intended appointee as vice-chair, Alcohol and Gaming Commission of Ontario board of directors.

The Chair (Mr James J. Bradley): I'll call the meeting to order, now that we have our three parties represented. We have three appointments today to deal with as a committee, and the first appointment will be Evelyn Dodds, who is an intended appointee as vice-chair, Alcohol and Gaming Commission of Ontario board of directors. I wish I were asking the questions today. We all know my great interest in alcohol and gaming, my crusade against it, but I won't ask those questions today. I'll leave that to the members of the committee. I'll just bridle at this.

Anyway, welcome, Mrs Dodds. Please come forward. As I know you're aware, you have an opportunity to make an initial statement to the committee if you see fit, and then you're questioned by the three parties.

Mrs Evelyn Dodds: Thank you. Mr Chair, members of the committee, I appreciate this opportunity to appear before you today to discuss my proposed appointment to the Alcohol and Gaming Commission of Ontario.

I hope that you've had a chance to look over my resumé. May I point out a few places where my experience has had some direct bearing on the workings of the AGCO, as I understand it at this point.

My knowledge of the merits of various kinds of audits and my concern about well-managed finances comes from my business experience as well as from my experience as a school board trustee and chairman, a municipal councillor and chair of finance committee. For instance, as the school board trustee, I initiated our school board's first audit committee, which I am told was the very first of its kind in Ontario.

When I was a municipal politician and worked on the business improvement and tourism development committees, I became aware that one part of our city was plagued by vandalism, and I was informed that Thunder Bay had not had a liquor inspector since the previous one retired. The local police were reluctant to enforce the liquor laws because of the prohibitive expense of sending

our police officers to Toronto for hearings of the then LLBO. I took it upon myself at that time to come to Toronto and to organize with the then chair of the LLBO that the hearings would be held in Thunder Bay. A new inspector came shortly after that, and the results of the increased enforcement of the liquor laws had a positive effect on the environment of that particular street. Through that, I gained some insight into the difficulties facing undercover operations.

I chaired the committee that put into place the first municipal lottery in Ontario, which over the years that it operated successfully raised hundreds of thousands of dollars for local charities.

As a municipal councillor, I was often called upon to make difficult decisions that had to balance the concerns of the business community with the greater public interest. I learned then that it was vital to hear all sides of an issue before deciding.

For the past six years, I have been an adjudicator and I've conducted hundreds if not thousands of hearings all over the province, and I've always written my decisions in a timely fashion. For the past three years, I served as vice-chair of the Social Benefits Tribunal, where I assisted the chair by participating in the training of new members and writing numerous resource documents for the use of the other members. I developed a healthy respect for the important role played by the administrative justice system in maintaining a fair and equitable application of the laws all across Ontario.

I believe I have demonstrated fairness, clear writing skills, professionalism and competence in this role that I hope you will consider beneficial to the work of the AGCO.

I look forward to the opportunity to serve in a new capacity, and I will be pleased to answer any questions you may have.

The Chair: Thank you very much. We'll commence our questioning with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mrs Dodds. In your comments you have made reference to your experience with audits, also your experience dealing with well-managed finances. I'm just trying to understand how that experience really connects with your role on the Alcohol and Gaming Commission. I see fiscal management as being one exercise, but usually the issues that come before the Alcohol and Gaming Commission don't

have anything to do with finances. So maybe you could connect that.

Mrs Dodds: As I understand it now, and you must appreciate that I haven't yet actually learned about the inner workings of the AGCO, you are correct insofar as the adjudicative function of the board is concerned. However, I believe that the AGCO also has a governance role with respect to the entire commission and that as part of the monitoring of the management of casinos, for instance, finances play a very large role because of the large amounts of cash that are processed through the casinos. So that I think that auditing of the finances of casinos could potentially play a large role in ensuring that the operations are conducted ethically and honestly.

1010

Mrs Dombrowsky: I don't know that I agree, but thank you; I do appreciate that.

You've indicated in your resumé that your current position is as vice-chair of the social benefits tribunal. Do you plan to continue in that role?

Mrs Dodds: No. My term is up at the end of September.

Mrs Dombrowsky: I see. So you would finish in that role and then you would begin in the new role.

I'm sure you have had an opportunity to read the background around issues that the Alcohol and Gaming Commission deals with. I'm sure you are aware that the people on the front line—they would be the enforcement officers—are most distressed by the fact that in their attempt to curb crime, to arrest crime, when charges are laid against liquor establishments for illegal activity, it takes some considerable time before the case is heard. In the interim, these establishments can continue to operate. This, of course, is problematic for the officers, because they would present that the same sort of illegal activity can continue in these locations. I was wondering if you would have any comment on that, if you see any particular role that the Alcohol and Gaming Commission might play in preventing or in solving this problem that the law enforcement people are very concerned about.

Mrs Dodds: Where circumstances warrant, I believe that the AGCO has the ability now in the legislation to issue interim suspensions, but that there would normally need to be some compelling reason to take that unusual step. It seems a long time to wait for hearings, but I can relate from my experience on the SBT that there is time needed for people to prepare their cases, that a full hearing, even if it is scheduled very swiftly, often becomes adjourned if it's scheduled too quickly, because the parties do not have sufficient opportunity to prepare the case that they wish to present. So it's a matter of striking a balance, isn't it? Due process needs to be followed; the public must be protected. So the hearing is that opportunity for both sides to be heard.

Was it in Hamilton recently I saw in the media where there was an emergency session of the AGCO convened in order to issue an interim suspension pending a full hearing, and that the actual hearing was held in a short period of time, in order—

Mrs Dombrowsky: Yes, and that is the exception.

Mrs Dodds: Yes.

Mrs Dombrowsky: Are you presenting, then, that you think the status quo is quite acceptable, given the fact that it takes time to mount cases and so on?

Mrs Dodds: With my limited knowledge now I'm not able to tell you what the ideal ratio should be, but I do know that both factors would need to be taken into account in making any such decision: does the compelling public interest for the immediate problem outweigh the need for people to have sufficient time to prepare their case? I'm not able to be more specific than that at this time.

Mrs Dombrowsky: I guess the information that has come to me is that law enforcement people find it especially challenging when they're trying to crack down on crime and they make the arrests and they don't have the ability to shut the place down. They make the arrest today and the same kind of activity is happening there the next day. Until there is a hearing, they're virtually powerless unless they just continue to weigh those kinds of charges. In my opinion, I see a great waste of our enforcement resources in this particular area.

If I could ask now that we move to another issue with regard to surveillance in casinos. You are familiar with Ann Cavoukian. Would you have had an opportunity to read her most recent report, where she's made some recommendations about the notification of surveillance equipment in casinos?

Mrs Dodds: I haven't read the full report, but I understand that the recommendations she made are being acted upon. I'd like to add that the people who have told me of their casino experiences have always indicated a sense of comfort and security in knowing that there are cameras everywhere. They expect it.

Mrs Dombrowsky: OK. "That there are cameras everywhere"; would you be a strong advocate of notifying people that there are cameras everywhere, that all people who enter a casino would be almost immediately informed that they would be under surveillance?

Mrs Dodds: Aren't there signs now that tell people that video surveillance is—

Mrs Dombrowsky: You would be a strong advocate of that; you think it's important that people know that.

Mrs Dodds: I see no reason not to. I don't know that I would make a strong issue of it, any more than when I walk into my bank. There's no big sign telling me that I'm on camera but I know I am and I'm glad I am.

Mrs Dombrowsky: Those would be all of my questions at this time.

Mr Tony Martin (Sault Ste Marie): You're leaving the social benefits tribunal?

Mrs Dodds: Yes.

Mr Martin: Is there any particular reason for your moving on and leaving that position? You were appointed in 1995 and now you're taking a new appointment.

Mrs Dodds: I've had six years on the one tribunal and I'm looking forward to using my skills in a new and very

different capacity. They say change keeps a person young.

Mr Martin: Is the new appointment full-time?

Mrs Dodds: No, it's part-time.

Mr Martin: From talking to some of my constituents in Sault Ste Marie, there's been a change in approach, according to them, over the last couple of years where the activity of this particular board is concerned. They feel quite harassed. They tell me that they're carrying on a very legitimate business, they're running an establishment that serves liquor to people, but it seems now, because of the emphasis of the government on cracking down on illegal activity, that everybody is suspected of being involved in that kind of activity. So there's this blanket of surveillance that is happening which is interfering with their ability to make a living and actually do their job. Is that something that concerns you at all or something that you have had any briefing on in preparation for your appointment to this board?

Mrs Dodds: I have had no briefing on it prior to this meeting. I did have a small experience with it when I was still on city council in Thunder Bay. As I mentioned in my opening remarks, we did work with the LLBO at that time to increase enforcement, and it was successful to some extent in improving the environment of a particular part of town. At that time the new inspector was criticized by some of the more legitimate establishments for also inspecting them for what they considered to be very minor infractions.

My role as a councillor was simply to facilitate a meeting between the chief inspector of the LLBO and the various hotel managers who were concerned, and they worked it out among themselves. I said then and I would say again that the laws are there. They cannot be applied with discrimination; that is, all have to be treated equally under the law. If they are being harassed, then one must consider whether they are actually complying with the law. If they are complying with the law and have nothing to hide, then I don't know that increased polite inspections could be a hardship or could interfere with their ability to do business. If there is some other dimension to that complaint that I'm not aware of, then I would certainly want to hear more details about it, because I believe it's important that all persons engaged in law enforcement in Ontario should treat the public with respect but that they should apply the laws fairly, in the same way, to everyone.

1020

Mr Martin: You were fortunate in that you were able to get the liquor inspector to a meeting. I had a meeting with our local proprietors, who were expressing some grave concern about what they felt was very clearly harassment. I tried to convene a meeting, but the inspector felt it wasn't appropriate for him to attend that kind of meeting and referred me higher up. So I wrote a letter to the minister about it and there's been some back-and-forth. They complain of things like entrapment. What's your position on that, where somebody comes in and presents as a customer and orders a drink that he

knows a bartender should not be willing to serve to anybody? Too much liquor in one glass, apparently, is against the law and those kinds of things. You know what entrapment is?

Mrs Dodds: Yes. It's a normal part of any undercover operation, I would think.

Mr Martin: And you think that it's perfectly appropriate or right that different inspectors should be able to go into an establishment and do that kind of thing?

Mrs Dodds: I'd have to know the specific instance that you're referring to, but under normal circumstances, I don't know of any way that a liquor inspector can properly assess how a place is run unless he pretends to be a customer. In fact, one of the problems with the liquor law enforcement techniques is that in some bars and in some towns or in some parts of some towns, any stranger entering the door is immediately spotted as someone from law enforcement. As you know, illegal activities can be very quickly covered up when it is known that there is an officer on the premises. So one of the problems is that you might know from hearsay that things are going on in a particular place, but actually getting the evidence and getting the law enforcement officer to witness it and to then lay charges can be extremely difficult. In some cases, it's also dangerous. I have great respect for the officers in all agencies who operate undercover. I don't think it's a very safe job.

Mr Martin: What they're claiming is that some of the illegal activity that the government wants to crack down on is not in fact what they're after when they're coming into their establishments; it's minor infractions that happen from time to time. Bartenders can be as vigilant as all get-out and work as hard as they can to cover every possible scenario, but at the end of the day, you can only hire so many bartenders or servers or security until it becomes unprofitable for you. The sense is that that's what they're being driven to because of the increased activity of both the police and this board and its employees.

Mrs Dodds: Having been in the business sector for years, I think you have raised with me an issue that I will find out a lot more about in respect to that.

Mr Martin: There's another issue perhaps that you could comment on for me. It was an issue that was brought to my office just a week or so ago. It may not seem like much to somebody who may not be on a regular basis in licensed establishments or running one, but it's illegal to bring your drink into the washroom.

Mrs Dodds: Never having tried to do that, I didn't know that.

Mr Martin: Yes, it is. The problem that's identified is with the proliferation of all kinds of interesting drugs now out there, like the date rape drug for example. If you leave your drink for a minute to go to the washroom, by the time you come back you don't know what could be done to it. So you either down it, which could create its own problems, I guess, or you leave it there, go to the washroom, come back and then not know.

This particular individual, and I think he was speaking on behalf of a number of proprietors, is claiming that not being allowed to carry your drink with you into the wash-room is a bit over the top and is creating problems in this other area that are hard to police and manage.

Mrs Dodds: The role of the AGCO is to enforce the regulations that already are on the books. Therefore, I don't anticipate that my job would involve rewriting those rules. That would be a matter for the Legislature, I think, to enact and then the AGCO would enforce them.

Mr Martin: OK. Thank you very much.

Mr Frank Mazzilli (London-Fanshawe): Just a couple of minor questions. I think Mr Martin brought out some good points and some points that probably should be visited. Often in the enforcement, one offence, obviously, that comes to mind, whether the Alcohol and Gaming Commission or the police, is serving an intoxicated person. Some places are blatantly serving people who should not be served and some bartenders blatantly do that. In other establishments it's hard to control. Someone may have walked in from across the street and perhaps had already had a certain amount to drink and is served the one or two drinks that put him or her over the top and that bar owner and the server and so on find themselves in extreme difficulty. That is one that obviously you'll be dealing with a lot. It's difficult, because we all do not want people who are blatantly doing something, but you also do not want to make a victim out of someone who, as Mr Martin said, is trying to run a legitimate business in a profitable manner and being shut down for an infraction like that.

Mrs Dodds: It's a question of striking a reasonable balance, isn't it?

Mr Mazzilli: The one thing that I will say about the Alcohol and Gaming Commission, especially on the gaming component of it, because the Chair is so interested in this subject, is the government now has an obligation. It's a \$5-billion corporation that is run. Approximately \$2 billion are left to government revenues for health care and education and some of the other programs that we need. But aside from that, on the \$3-billion side in expenditures, some of that goes to Trillium, some goes to support the agency itself and the good works. So I think at this point the challenge is continuing that agency in a successful manner. I think there's an obligation to the employees to do that and an obligation to Ontarians to do that. To not support a corporation of that size that employs so many people would be difficult, I would suggest, at this stage in the game. That's my only comment. Thank you for appearing before us.

Mr Jerry J. Ouellette (Oshawa): Thank you for your presentation. The only thing I would say is that having seen the work you've done in the past and the good job you did there, I don't see any reason that I would vote against your appointment.

In the event that you are successful in this, should you have an opportunity to review policies, I have some concerns, as Mr Martin stated, in regard to the consistency between individuals. For example, in my riding,

knowing there are always two sides to a story, I regularly hear the one side, but you will have the opportunity to hear the other sides of some of those issues when they come up in review, whereby an individual is charged because of the location of the liquor licence. When he moves it to another location, a different inspector comes in and then charges him again because the liquor licence is in the wrong location, where the first inspector said he needed to put it.

1030

What I would ask you to do is make sure there is consistency between the inspectors. In a review of cases like this obviously there are costs incurred by the individuals. We need to make sure that there is streamlining, to make sure that there's consistency between individuals and possibly a review of the recommendations made by previous inspectors to make sure that there is constant continuity between the two.

The Chair: Thank you very much for being with us, Mrs Dodds. I believe that completes the questioning. You may step down, as we say, and we'll move to our next appointment.

TED SALCI

Review of intended appointment, selected by official opposition party: Ted Salci, intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors.

The Chair: The next appointment is Mr Ted Salci, who is an intended appointee as member, Alcohol and Gaming Commission of Ontario Board of Directors. Welcome to the committee, Mr Salci. As I indicated earlier, you have an opportunity, should you choose to do so, to make an initial statement and then we will have up to 10 minutes of questions from each of the political parties represented on the committee.

I was just going to say for Mr Mazzilli a moment ago that he's fortunate we don't have the Family Coalition asking questions on this committee, because they are not represented around the table. Mr Mazzilli and I just have this little thing about these matters.

Mr Salci, you're welcome to be with the committee today. We welcome any comments you might have.

Mr Ted Salci: Good morning, Mr Chairman and committee members. Thank you for the opportunity to attend before you this morning to review my intended appointment to the board of directors of the Alcohol and Gaming Commission of Ontario.

I am joined today by my wife, Sharon. We have been married for 25 years and have two children: Cara, our 20-year-old daughter, who is a third-year biomedical science student attending the University of Guelph, and a 17-year-old son, Ted, who is in grade 12, attending St Michael High School in Niagara Falls.

I was born and raised in the city of Niagara Falls, and upon the death of my mother, Lillian, I left university and entered the real estate profession at the age of 21. I quickly earned my broker's designation at the age of 25

years, and I founded R.T. Salci Real Estate Ltd in 1975. During that time I also earned and was awarded the designation and title of FRI, or fellow of the Real Estate Institute of Canada, along with the distinguished designation of the American National Association of Realtors as a CRB, or certified real estate broker.

Business grew, and through much hard work and determination I employed a staff of more than 40 individuals, with an annual budget of over \$2.5 million. My daily responsibilities included the administration and motivation of sales associates, mortgage financing, contract negotiations, client counselling and business development. Over that 25-year period the company grew to become one of the major independent real estate firms in the Niagara Peninsula. In the year 2000 I was approached by a national franchise company and I sold the business in May of that year. I am now working as an associate broker with the new firm.

During my business career, I was always aware of the need to be involved in my community. As you can see in my resumé, I have served on many boards and committees. From my early days as a Jaycee to my current service in the Rotary Club of Niagara Falls Sunrise, I believe that such involvement not only adds to self-improvement but hopefully makes our community a better place to live.

My personal rewards have been numerous, only to be highlighted this past spring as a recipient of Rotary's Paul Harris Fellowship, which was presented to me personally by the world president of Rotary International for my service to my club.

I have just completed a three-year term as a member and vice-chair of the Niagara Regional Police Services Board, where I served as chair of licensing and also assumed responsibilities on the human resources committee that involved contract bargaining, the hiring of personnel and collective agreement appeals.

I have learned that listening and good communication are essential qualities and required requisites to serve on this board. I feel that I have earned a great deal of experience in both my business and community involvement, which I believe makes me a suitable candidate for your consideration to serve the citizens of Ontario as a member of the board of the Alcohol and Gaming Commission.

In closing, I wish to thank you for allowing me to appear before you today, and I would be pleased to answer any further questions that you may have.

The Chair: Thank you, Mr Salci. We will commence our questioning today with the third party, in this instance Mr Martin.

Mr Martin: Thank you for coming this morning. Obviously that's a fairly impressive background of public service. Why at this time this particular board?

Mr Salci: I guess I was looking at a challenge further abroad, where I thought my background would be ably used to serve the citizens of Ontario.

Mr Martin: It's nothing to do with the fact that there's a big casino being built in Niagara Falls, and some of the activity that might accrue there.

Mr Salci: No.

Mr Martin: Is this a full-time position?

Mr Salci: No, it's part-time.

Mr Martin: Is there remuneration that goes with it at all?

Mr Salci: I believe there is.

Mr Martin: What would it be?

Mr Salci: I understand, from the information I have off the Internet, it's a per diem. I believe it's around \$200 per day.

Mr Martin: While you serve as a member of the board?

Mr Salci: Yes.

Mr Martin: What kinds of things do you expect you'd be doing as a member of that board?

Mr Salci: I anticipate that the duties, from what I see, would involve attending hearings, either with related gaming matters or alcohol regulatory matters.

Mr Martin: You've heard the Chair of the committee reference a concern he has with the proliferation of gambling across the province. It seems at this point sort of willy-nilly. At one point there was some sense that it was going to be managed and careful and thoughtful as it moved forward, if it was to move forward at all. There are people out there, organizations, who are monitoring this, who share with all of us who have responsibility as members of government that the proliferation and the growth in the number of, for example, slot machines out there is getting to a point now where it's almost unmanageable. Short of trying to speak to this government about being thoughtful in that respect, your board is charged with the responsibility of making sure that at least those establishments that are set up follow some of the rules and guidelines so that people aren't unduly hurt by this activity. Is that a concern of yours, as you move into this area of work?

Mr Salci: Yes. As an intended appointee, if I were successful in the appointment I would be sensitive to those matters. I certainly understand that our matter is to deal with the regulation; I wouldn't have anything to do with policy, which is established by the government, but I would certainly be sensitive to those matters.

Mr Martin: You're aware, certainly anybody who lives in a community with a gaming operation, a casino, that many people are getting hurt. There are people losing their homes, losing their livelihoods, losing their families because they're becoming addicted in many ways to this behaviour. Is there anything that you think this board could be doing or should be doing to intervene there so that fewer people are being hurt in this way because of government-run operations—on the one hand, yes, to take money and put it into good causes, but on the other hand to be taking it away from people in a manner that destroys them and actually makes them, then, ultimately the recipients of some of the services offered by those institutions that are funded from the money that flows from these operations?

Mr Salci: Again, I believe it's a matter of policy with respect to the numbers of casinos or slot machines that

you talked about earlier, but I certainly would be sensitive to the problems of excesses. You would hope that people are responsible in their efforts, whether they're driving, drinking or gambling, but I guess in an ideal world we would hope that the individuals involved in an activity wouldn't go to extremes. Unfortunately, that doesn't happen in real life. Again, I'm sensitive to it. There are certainly, as you know, measures involved to assist these people if they want the help, but further than that, again, I wouldn't be involved in making the policy, only enforcing the regulations, from my understanding of the position.

1040

Mr Martin: But I'm sure you would have some influence in that, as a board member, recognizing trends or patterns developing in some of the areas where you have to make decisions. Ultimately as a board you would sit down with government and make some recommendations as to some ways that they might make your job easier in terms of policy.

Mr Salci: If asked my opinion, I would certainly volunteer my experience on the job and what I have found to date. As I said, I am aware of certain circumstances that have prevailed in our city. If it meant anything to the policy-makers, I would certainly offer my input.

Mr Martin: Do you think that we have too many gaming operations in the province?

Mr Salci: Personally speaking, I am aware of our Niagara situation. That's the extent of my knowledge with respect to the numbers. I can't speak to other areas, but it certainly has done wonders for the city of Niagara Falls.

Mr Martin: There are those who would say that the underpinnings of those wonders aren't worth the benefit, that the cost isn't worth the benefit.

It has been suggested to me that one way of perhaps making gambling establishments more responsible might be to introduce legislation similar to what's happening now in some of the liquor operations that makes the proprietor, although this becomes difficult when the government is the proprietor, ultimately responsible for any catastrophic damage to patrons. If somebody drinks in a bar and goes out and gets into a bad car accident, the establishment that served him that drink can be sued in court and be found liable and responsible. Some suggest perhaps a law that would leave a gambling establishment responsible if somebody suffered catastrophic results, like lost their business or their home, by having participated and wagered too much in those establishments. Do you think that would be a good idea or a way to go to try to make those establishments perhaps more vigilant in terms of the kind of activity they allow patrons to get themselves involved in?

I know on the liquor side, the laws are being enforced very vigorously. For example, the casino in Sault Ste Marie is going to lose its ability to serve liquor for 10 days in September because they served somebody who had already had too much. I don't think there's anybody

who would disagree that that's probably a good thing to do. On the other hand, what if somebody gambles too much? Should there not be a way of detecting that and holding the establishment responsible, removing their licence for a few months? That might create more vigilance on their behalf.

Mr Salci: Again, I see that as a policy matter. The obvious concern I would have is that I would be acting to enforce policy and not to create it, so I wouldn't have an opinion on that. I would just do the job I was appointed to do in enforcing regulations, if those were in fact the regulations. I realize there are many implications that come into your remarks with respect to activities in the casino, whether they're affordable or not and excesses, but I really see that as a policy matter.

Mr Martin: I would hope that a government being concerned about these kinds of things—and they've certainly indicated that they are where illegal activity taking place in licensed establishments is concerned—would also concern themselves about the fallout or the result of or the damage created by gambling in the province and would turn to people like yourself, serving on a board that deals with these issues on a regular basis, because you will have before you instances, situations, circumstances that you will have to make a judgment about; that they would come to you and say, "What should we or could we be doing to stop this?" before it actually gets to your table, where you have to make a decision, so that we could be more proactive in that.

Again, I'm asking you, if in fact that opportunity arose or you had the opportunity as a member of a board to make recommendation, would the approach that I've just shared with you in the previous question be something you would personally be willing to entertain or look at?

Mr Salci: If asked my opinion, at the time and at that point having had some experience, I would be pleased to relate my experience again to the inquiry. At this point I wouldn't have any specific knowledge and I could only relate to the policy-makers, if requested, the experience I've had on the job and I would be pleased to convey our experience directly to them.

The Chair: Further questions? We now go to the government caucus.

Mr Bob Wood (London West): We'll waive our time.

The Chair: The opposition. Mrs Dombrowsky.

Mrs Dombrowsky: Good morning, Mr Salci. You've indicated in your background you attended Niagara University in New York. What degree did you attain?

Mr Salci: I was working toward my Bachelor of Science in business and I attended second year of university when my mother passed away. I left school at that point to engage in my real estate profession.

Mrs Dombrowsky: You've indicated you're a business person in the Niagara Peninsula. You have one very large casino in Niagara Falls and then the racetrack at Fort Erie. You've indicated in your comments already this morning that with the presence of these establishments the benefits to Niagara Falls have been tremen-

dous. I would expect that that's from your perspective as a business person. Do you think you might have any conflict of interest if you were to serve on the Alcohol and Gaming Commission?

Mr Salci: I don't think I would. In fact, I would be sensitive to the fact that if there were a conflict, I would refrain from sitting on any panel that would be hearing any matters of local concern. Being very active in the community, I certainly am sensitive to conflicts that could occur with a conflict-of-interest situation.

Mrs Dombrowsky: I was looking in your background. Do you have any political experience?

Mr Salci: Yes, I do.

Mrs Dombrowsky: Could you explain what that would be?

Mr Salci: I was a candidate in the 1981 and 1985 provincial elections.

Mrs Dombrowsky: For which party?

Mr Salci: The PC Party of Ontario.

Mrs Dombrowsky: Like the other two people we've interviewed today, you have been a provincial candidate for the Progressive Conservative Party. Do you think that perhaps that has worked in your favour for your appointment today?

Mr Salci: Not at all. That was so long ago and I've done so much in the community since then, I don't think that has—to me, actually it seems like it was 20-some-odd years ago when I first ran. But I have been so involved in the community and I think those are the attributes that I bring before you today in this committee.

Mrs Dombrowsky: Do you continue to be active in your association locally?

Mr Salci: Yes.

Mrs Dombrowsky: You are?

Mr Salci: Yes.

Mrs Dombrowsky: OK. I ask this only because I believe the other intended appointees today have put that on their resumé and it wasn't on yours, and it something that I think is important, that we would all understand that.

Have you had an opportunity to review the document—it's almost a year old now—Building Safer Communities?

Mr Salci: No, I haven't. I've heard about it. Through my involvement with the police services board I was aware of the document that existed.

Mrs Dombrowsky: That it was a combined effort with consumer and commercial relations and the Solicitor General.

Mr Salci: Yes.

Mrs Dombrowsky: It was to do with building safer communities. There were a number of recommendations that, of course, would impact or would require some change to the Liquor Licence Act. Those changes would be with regard to licences, grounds for refusing to grant licences, making those broader; also broadening the grounds for suspension and introducing the opportunity for short-term suspensions that might relate to situations that I made reference to with the previous appointee, the

fact that when charges are laid there can be some time pass between the actual laying of the charge and the hearing. This is a point of great frustration, of course, for people on the front line.

So there is a document that has brought forward recommendations for the government to act upon and amend the Liquor Licence Act so that we might be able to build safer communities. This report was issued in October of last year and, to date, the government has not acted on it. Would you have a comment about that?

1050

Mr Salci: Just a personal perspective, Mrs Dombrowsky. Again, I would be supportive of anything that would prevent the ongoing illegal activities in a licensed establishment. Having said that, I would be encouraging, to the extent of my authority, the board or the commission to deal with matters as promptly as possible. I understand the frustrations that law enforcement officers have when they appear before the courts or when they try to close an illegal operation. So I wouldn't condone the illegal activity in an operation like that as a regulator. Again, referring to the fact that it would be as a regulator and not as a policy-maker, but within the limits of the policy and with due process being afforded to the individuals involved, I could see dealing with this matter expeditiously.

Mrs Dombrowsky: With regard to community safety issues, in your opinion, would it have more priority than some of the other issues that have been referenced here this morning when you consider the placement of a liquor licence? I guess for me as a representative of the people, I'm very frustrated to understand that there are those frivolous kinds of charges being made out there when there are issues that relate directly to community safety that perhaps are not being pursued as vigorously.

Mr Salci: I'm sensitive, again, to it. I have two children who are of that age, and I certainly wouldn't want to have them enter a premises where they were not going to be safe or where there were illegal activities going on. Within the limits of my authority, again as a regulator, I would deal with the regulations, hopefully encouraged by your comments that there may be changes that we could enforce. But as an individual and as a parent, I am certainly very sensitive to those as well.

Mrs Dombrowsky: Do you think you have any role on the Alcohol and Gaming Commission to perhaps offer advice or direction, encouragement? You're seeing what's being processed. Do you think you have a role to offer advice to the government that there are areas where there need to be change, some movement on, in the interests of the safety of communities?

Mr Salci: I think after a period of time and having some experience on the board, if requested by policy-makers, I would be more than pleased to offer my actual experience on the job and on the board directly to them for their consideration.

Mrs Dombrowsky: That would conclude my questions, Mr Chair.

The Chair: Thank you very much, Mr Salci, for being with us today.

JOSEPH MAVRINAC

Review of intended appointment, selected by official opposition party and third party: Joseph Mavrinac, intended appointee as member, Ontario Civilian Commission on Police Services.

The Chair: Our next intended appointee is Joseph Mavrinac, intended appointee as member, Ontario Civilian Commission on Police Services. Welcome to the committee, Mr Mavrinac. As you would be aware, sir, you have the opportunity to make an initial statement, should you choose to do so, for up to 10 minutes. That's entirely the choice of the intended appointee. Subsequent to that, we will have questions of up to 10 minutes from each of the political parties represented on the committee. You may commence, sir.

Mr Joseph Mavrinac: Thank you very much, Mr Chair. I apologize for the voice this morning, but I can't seem to clear something out of my throat.

I want to thank you for the opportunity to appear before you this morning to give a brief explanation of my qualifications as an intended appointee to the Ontario Civilian Commission on Police Services.

My successive appointments at the municipal, district, regional and northern Ontario levels, and finally in the provincial public services arena, have given me the opportunity to gather an abundance of experiences that make me suitable for such a role. I have been a police commissioner, a police services board member, an advocate and facilitator of a police adequacy study, a prime mover in the planning and construction of a first-class police operations facility, a major figure in the transition from a municipal force to OPP contract services, a member of a selection committee for both a police chief and the first detachment commander after an OPP takeover of policing services.

In public life, one must have earned a widely recognized level of respect and honesty. We hear a lot of transparency in aspects of government, and my record has always been one of accessibility, credibility and an acknowledged effort to bring the paramount aspect of fairness to all offices that I have held.

In reviewing the duties of an OCCPS member, those being decision-making, judging, adjudicating, inquiring, determining and generally overseeing the effectiveness and adequacy of police services in the province of Ontario, I feel that I am adept at fulfilling those duties. Membership in OCCPS requires a person who is experienced in the conduct of public affairs and has a history of adjudicating facts and opinions and making informed decisions based on facts.

OCCPS also needs a member who understands the uniqueness of northern Ontario. Northern Ontario is an extensive area that, sadly, is often misunderstood by Queen's Park. It is widely known that I have been a foremost interpreter and promoter for this vast region.

If appointed to this commission, I will be an ardent, diligent person who has habitually recognized service as a major component of his life. I want to thank you.

The Chair: Thank you very much, sir. We commence our questioning with the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time. We will move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Mavrinac. I was certainly interested when I read your background in your role as mayor. You played an active role in trying to attract some business to the north, to the Adams mine. I was rather interested.

Mr Mavrinac: I've been doing that all my life.

Mrs Dombrowsky: With regard to the Ontario Civilian Commission on Police Services, there is a concern, I'm sure you are aware, that as a result of some legislation in 1997, the police complaints commissioner no longer exists. It is now the police chief who, if there is a complaint about police conduct, makes a decision. There's great concern that you have a member of a police force making a decision about the activities or the actions of another member of the force, and it's very difficult for a civilian to appeal that. It's a rather lengthy process. You may be familiar with situations across the province where only after numerous appeals have situations actually received the full measure of investigation by a totally objective third party. Do you have an opinion on how effective the new system is?

Mr Mavrinac: Amendments to the Police Act of 1990 and then the amendments to the Police Services Act, 1997, did away with certain areas of procedure for complaints, but the complainant still has the ability to appeal. Then, if it's a police force, he has an ability to appeal the decision of the police chief. Then he has an ability to ask for an appeal before the police services board. So I feel that there are steps there for a full investigation of the complainant's complaint. It's a streamlining of the Police Services Act of 1990.

Some feel that maybe the complainant has lost a lot of area for further appeals and processes, but I feel that it's adequate, because I have sat on these appeal boards. Something I would like to see the OCCPS do again is to go to northern Ontario to hear some of these appeals. The facility that I sat on back in those days, the decision was basically the same. As I said in my opening remarks, you deal with the facts, and the facts went through two appeal processes, then the third one; not that we rubber-stamped the former decisions, but we came to the same conclusions.

1100

Mrs Dombrowsky: In every case?

Mr Mavrinac: No, the two that I—I'm not talking about what happened down here. There were many instances that I'm sure decisions were made and I'm sure some of them were overturned.

Mrs Dombrowsky: I'm curious with your comment that the process has been streamlined. I would only ask, for whom?

Mr Mavrinac: It has. It was streamlined because the Police Services Act had a process in there. They had a complaints commissioner, they had the integrity—I just forget the terminology. So those two were folded into the OCCPS mandate. Then the complainant has the right to appeal and then to go before the OCCPS commission.

Mrs Dombrowsky: Again, my question is, who has the process been streamlined for? The appellant?

Mr Mavrinac: I think there's a cost factor involved. The government streamlined it not to discourage complaints, because I said there were complaints, and there still are a lot of complaints. So it's just a matter of streamlining the whole process.

Mrs Dombrowsky: Did you have an opportunity to read the background material that was provided to the members of this committee?

Mr Mavrinac: Yes, I did.

Mrs Dombrowsky: So you are familiar with the case in Guelph where there was alleged police misconduct and a group of women went through a process, one which I would hardly describe as being streamlined. I appreciate when you would suggest there's a cost factor, but what is the price of good justice? Do we spare good justice in the name of cost efficiency? I'm asking you that.

Mr Mavrinac: That was the decision of the government of the day and that's what we, as members of police services boards, police chiefs or OCCPS, have to live by.

Mrs Dombrowsky: Yes, but does it not concern you that this group of women found the process—

Mr Mavrinac: Absolutely, it concerns me. Fairness is something that everybody wants in our society. But in the Guelph situation, I'm quite sure that case is very unique and it was a judgment call that had to be made at that specific point in time by the police because of the unruly conduct of the women or whoever was demonstrating. The facilities that they had were overcapacitated and then they had to go to another facility, and certain processes and procedures had to be followed. So these are things where, sure, in hindsight, certain other processes or procedures could have been done, but in that case, that is what evolved.

Mrs Dombrowsky: I wouldn't be prepared to make a comment about how unique this situation was, but I have to say that when I read it, it struck me right from the very first description of what had happened, that, in my opinion, there appeared to be a case on behalf of the women, and it wasn't until they pressed it, until the very end, that there was some justice for them, which I think is truly unfortunate.

I wanted to ask you, as well, about the most recent piece of legislation, Bill 59. It's an amendment to the Police Services Act that enables hybrid policing. Are you familiar with that bill?

Mr Mavrinac: I didn't hear the—could you speak a little louder, please?

Mrs Dombrowsky: Are you familiar with private member's Bill 59?

Mr Mavrinac: Not to any extent.

Mrs Dombrowsky: It is an amendment to the Police Services Act which would enable amalgamated municipalities, when considering engaging police services—probably you are familiar with municipalities where, when they have blended, one municipality would have engaged the Ontario Provincial Police and another municipality would have had their own force. So they've been faced with a very difficult decision of, "Is it one or the other?" In some communities it has created a real split. This bill would enable communities to, instead of making an either/or choice, blend the service. They may engage the OPP for a particular part of their jurisdiction and maintain a regional or a city force in another part. Are you familiar with that?

Mr Mavrinac: I am familiar with it, not that it happened in my jurisdiction, but I've heard that it has happened in other jurisdictions.

Mrs Dombrowsky: Do you have an opinion about its effectiveness? Do you see any complications that might arise within communities as a result of this and do you see any problems that might be referred to the board that you are an intended appointee on?

Mr Mavrinac: I'm sure there can be problems in any amalgamation or any type of combined service. What we got in Kirkland Lake when I asked for an adequacy study—at that time the Ontario Police Commission did a one-year study and at the end of the day there were 19 recommendations. We had to build a new police station. What happened there was that the detachment in Kirkland Lake was closed; the one in Virginiatown, 25 miles to the east of us, was closed; and the whole operation was centralized in the new police building in Kirkland Lake. It saved us about \$300,000 a year and it saved the government many more thousands of dollars because of the obvious.

Getting back to the amalgamation of townships, say, in regions where a town of over 5,000 people had their own police force and they amalgamated townships in the outer areas, then possibly they have one police service, maybe they have two. As I said at the outset, all of these situations are different. All of these situations are going to have their own kinds of problems, and it might be that some of these problems will come before the commission to deal with.

Mr Martin: Good morning.

Mr Mavrinac: Tony, how are you?

Mr Martin: One can't help but be impressed with the long history of public service that you've been involved in. Does this appointment mean that you're leaving your involvement in some of the other areas you're presently—

Mr Mavrinac: No, I'm not involved in anything at this moment. I was chairman of a fundraising committee for the retention and recruitment of doctors for northern Ontario but that was over at the end of July, so I have no involvement at all with any committee or commission.

Mr Martin: You're not on the Ontario Northland Transportation Commission anymore?

Mr Mavrinac: No. I served as the chair for the passenger service review committee, and that was over at the end of 1999.

Mr Martin: And you're finished with the realty corp?

Mr Mavrinac: The Ontario Realty Corp? I resigned, unfortunately, because my wife passed away. At that time I resigned because of her deteriorating health and I did not know that she would pass away suddenly, in a matter of two months. That is why I resigned.

Mr Martin: In terms of this particular appointment, I can certainly understand that you have a background, but why would you want to serve in this capacity at this particular time?

Mr Mavrinac: I didn't solicit this, to tell you the truth. I got a call from the Public Appointments Secretariat, if I would consider sitting on this committee. After due consideration, I said it was about time that I got involved in something and I said yes. That's why I'm before you today.

I feel that I can contribute. I have been doing matters such as this for many, many years. I've been blessed with good health and I feel that I can contribute.

Mr Martin: You mentioned in your opening your commitment to northern Ontario and some of the work you've done to be champion of that particular, wonderful part of this province. Given the very difficult economic challenges still facing your community and mine and others across the north, it seemed to me that a person with your background and experience would want to focus more on that than this particular opening.

Mr Mavrinac: I think that I can do quite a bit for northern Ontario sitting on the commission of OCCPS. I think there's a lack of transparency in the cost factor, as far as OPP policing is concerned. There is a variance of costs in different areas of the province. I know that the commissioner is looking into that matter, because it's been brought to our attention. A lot of the areas didn't pay anything for policing for many years. The cost was capped at \$90. There are some municipalities right now in northern Ontario that pay over \$450 per household. That, to me, is not fair.

1110

Another thing, talking about northern Ontario, at Northern College we had a First Nations policing course. Three years ago the Solicitor General of the day brought forth a foundation policing course. It was going to be a prerequisite for every police officer candidate for policing in the province of Ontario. For eight or nine years we had that First Nations course at Northern College and we had up to 45 or 50 students from Manitoba, northern Ontario and Quebec. They made excellent nominees for police forces: municipal, reserve police forces, the OPP. That course was dropped this year because of that foundation policing course. I would like to know exactly where that stands right now. I have no idea, but I will find out. So there is a lot of work that I can do for northern Ontario as a sitting member of OCCPS.

Mr Martin: Is it a full-time position?

Mr Mavrinac: Yes, it is. It meets several times a month. That's my understanding.

Mr Martin: Is there remuneration that goes along with that?

Mr Mavrinac: When I got the letter from public appointments outlining the functions, there was an attached piece of paper that stated \$15,000 a year.

Mr Martin: You understand, going into this, that it is a bit of a hornet's nest at the moment in terms of this whole question of civilian oversight and trying to balance the issue of support of police versus civilians' right to challenge and bring forward concerns and that kind of thing. There was a move in the 1980s to provide more civilian oversight. There's been a backing away from that under this government to give chiefs of police more leeway. Of course, there is still in place the SIU. It doesn't seem to matter what it does, it seems to attract some serious negative criticism, from the police associations in particular. Where do you stand on that issue? What's your position?

Mr Mavrinac: What was the question again?

Mr Martin: Civilian oversight of police.

Mr Mavrinac: I think I answered the question. The peer processes are still there. There's a lot more scrutiny now. Not only the chief but the force itself, the OPP, is under public scrutiny as they have never been before. I think the system they have in place right now is adequate to meet the needs of the complainant. I think at the end of the day everybody gets a just and fair hearing.

Mr Martin: Are you a supporter of the SIU?

Mr Mavrinac: I have had very little to do with the SIU. I have never had an occasion to witness or see or hear or be in the presence of one of their hearings.

Mr Martin: There's a very obvious and public dispute going on right now in Toronto between the chief and the association. Are you aware of that?

Mr Mavrinac: Not to my knowledge.

Mr Martin: The disagreement is over just how far one side can go in terms of, I guess, discipline, on the one hand, and supporting members and the activity of the association, on the other. Do you think that this board you're being appointed to has any role or responsibility where that kind of very public, and obviously disturbing to the public, dispute that's going on at the moment is concerned?

Mr Mavrinac: I think that discussion should be held within the commission and on the direction of the Solicitor General, if he deems it fit that we should look into those areas, then I'm sure we will.

The Chair: Thank you very much, Mr Mavrinac, for being with us today.

Mr Mavrinac: Thank you very much. I apologize for my throat again.

The Chair: That is something over which we have little control.

Mr Mavrinac: The worst nightmare of a politician; isn't that right, Mr Bradley?

The Chair: Certainly it is a nightmare. I don't know if I could say it's the worst, but certainly it is one of them.

Members of the committee, we will now deal with the intended appointments in our usual fashion of entertaining motions of confirmation.

Mr Wood: I move concurrence re Mrs Dodds.

The Chair: "Concurrence," that's the word we needed. Mr Mavrinac, you may step down and Mr Wood is going to move concurrence in—

Mr Wood: I move concurrence re Mrs Dodds.

The Chair: He has moved concurrence of the intended appointee as vice-chair, Alcohol and Gaming Commission of Ontario board of directors, Evelyn Dodds. Any discussion?

All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Salci.

The Chair: Mr Wood has moved concurrence for R. Ted Salci, intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors.

All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Mavrinac.

The Chair: Mr Wood has moved concurrence for Joseph Mavrinac, intended appointee as member, Ontario Civilian Commission on Police Services. Again, any discussion? If not, I'll call the vote.

All in favour? Opposed? Motion carried.

Any other business of the committee, Mr Wood? The light went on in front of you. They must think you're going to move adjournment.

Mr Wood: I move adjournment.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? The motion is carried. Thank you very much for being with us today.

The committee adjourned at 1117.

CONTENTS

Wednesday 5 September 2001

Intended appointment	A-183
Mrs Evelyn Dodds	A-183
Mr Ted Salci	A-186
Mr Joseph Mavrinac	A-190

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

AZON
XC19
652



A-13

A-13

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 26 September 2001

Journal des débats (Hansard)

Mercredi 26 septembre 2001

Standing committee on government agencies

Election of Vice-Chair

Subcommittee membership

Subcommittee reports

Intended appointments

Comité permanent des organismes gouvernementaux

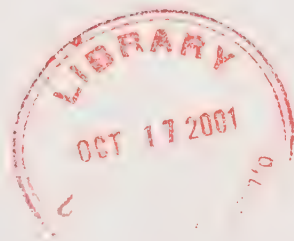
Élection du Vice-Président

Membres du sous-comité

Rapports du sous-comité

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce



Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday 26 September 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 26 septembre 2001

The committee met at 1005 in room 151.

ELECTION OF VICE-CHAIR

The Chair (Mr James Bradley): I'm going to call the meeting to order now, if I may, in the interest of time and those who are here. We will have a couple of additional items of interest to members of the committee and a couple of motions that must be made in terms of a Vice-Chair and in terms of membership of the committee. I believe Mr Wood has a motion.

Mr Bob Wood (London West): I move that Mr Gravelle be elected Vice-Chair of the committee.

The Chair: Any discussion?

Mr Bert Johnson (Perth-Middlesex): Has he got a campaign speech prepared?

The Chair: The shortest campaign speech may be the most popular one.

Mr Michael Gravelle (Thunder Bay-Superior North): I'd be honoured to serve.

The Chair: We have heard he's honoured to serve, so that's good news. There being no further discussion, I'll call the vote. All in favour? Opposed? The motion is carried.

SUBCOMMITTEE MEMBERSHIP

The Chair: We also have a change of composition of the committee. I believe Mr Wood has a motion in the regard.

Mr Wood: I move that the membership of the subcommittee on committee business be revised as follows: that Mr Gravelle be appointed in place of Mr Crozier.

The Chair: Any discussion of that matter? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

SUBCOMMITTEE REPORTS

The Chair: We next have a report of the subcommittee on committee business dated Thursday, September 6, 2001, which members have.

Mr Wood: I move its adoption.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried.

The report of the subcommittee on committee business dated Thursday, September 20, 2001.

Mr Wood: I move its adoption.

The Chair: Any discussion? If not, all in favour? Opposed? The motion is carried.

We now proceed to the appointments review.

INTENDED APPOINTMENTS
BENSON LAU

Review of intended appointment, selected by third party: Benson Lau, intended appointee as member, Toronto Police Services Board.

The Chair: Our first selection is Dr Benson Lau, who is the intended appointee as member, Toronto Police Services Board. Dr Lau, you may come forward, sir. As with everyone who comes forward, I have pronounced your name correctly, I hope.

Dr Benson Lau: You have.

The Chair: Good. Dr Lau, we're very pleased to have you with us today. As you may be aware, you have an opportunity to make an initial statement, if you see fit, and then there will be questions by each of the three political parties that are represented on the committee. Welcome to the committee, sir.

Dr Lau: Thank you, Mr Chairman. Good morning, ladies and gentlemen. My name is Benson Lau. I'm a resident of the city of Toronto. My profession is family physician.

To begin with, I wish to thank the government for my nomination to the police services board and this standing committee for the opportunity to present my credentials.

It is indeed an honour and privilege to have such a great opportunity to serve the community in the capacity as a member of a distinguished organization, the Toronto Police Services Board. For many years I have been involved in the community. I have gained knowledge about the community's expectations relating to police services. The community in general has high praise for our officers who have conducted themselves well in public.

I have also gained some insights into police culture as the chair of the Chinatown Community Police Liaison Committee. Officers sometimes feel that some requests within the community are within the domain of the social agency and should be dealt with as such. They sometimes are frustrated with the lack of co-operation and support from the community when investigating a crime. When I became a member of the Ontario Civilian Commission

on Police Services, I gained a more in-depth understanding of policing in Ontario and the rules and regulations that govern our police services.

1010

There are many vested interests within a service: the board, the chief and the union or association. Knowing what the community wants, how the police feel and the rules that govern them, now is the time for me to apply what I have learned in the past and to act for the community.

My interest is in community policing. I feel that police services cannot function by themselves. They require co-operation from everybody. I have found that many problems could be better resolved if there's a channel of communication available. I believe that community policing may be the tool.

I feel that Toronto is moving in the right direction. First it changed its name to "police services" from "police force," which softened its image. Then the establishment of a community police liaison committee in every division created an effective communicating channel. It has increased its sensitivity with training for its officers in respect of minority groups through its education programs.

My job, if appointed by this committee, is to work with all interested parties to continue to foster these positive changes.

The Chair: Thank you very much, sir. I can always begin with Mr Marchese, but if he is not ready yet, we'll be happy to start with the official opposition. So why don't I do that? I'll start with the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Dr Lau. I've noticed in your bio that you have had some political aspirations.

Dr Lau: Yes, I do, and I have tried it a couple of times.

Mrs Dombrowsky: Are you involved politically at any other level? Are you a member of a political party?

Dr Lau: Yes, I am. I'm a member of the Progressive Conservative Party.

Mrs Dombrowsky: Very good. How have you come to be nominated for this role?

Dr Lau: I heard of the vacancy through a third party. I made an inquiry and then I applied for the position. As I said, I know the police service well at this moment in time and I'd like to use what I've learned to better serve my community, to see if I could foster positive changes.

Mrs Dombrowsky: I'm sure you're aware, with regard to the Toronto police department and Chief Fantino, that there has been a good deal in the media about the disagreements between the chief and the rank and file. Do you have any comment on that? Is it a concern to you?

Dr Lau: I think if I got appointed as a member of the police services board, my job would be to oversee the provision of adequate and effective standards of police services. As long as the actions do not jeopardize that service provision, then I will be happy with it. Under the

Police Services Act, there is a certain obligation and responsibility for the chief, if it's within his domain, to carry out his orders or to make those orders, and it is the duty of the officers, the rank and file, to obey that lawful order. The Police Services Act has outlined that responsibility and obligation.

As I said in my opening statement, a lot of problems could be resolved with a proper communication channel. A lot of problems don't have to be too confrontational. They could be resolved with a dialogue.

Mrs Dombrowsky: I understand. So when you say "dialogue," are you suggesting, then, that misunderstandings and disagreements could be resolved with a two-way dialogue?

Dr Lau: That's right.

Mrs Dombrowsky: Initially you opened your remarks saying that the chief is sort of the head and the officers are responsible to take orders from the chief. I see that as a sort of one-way direction.

Dr Lau: The chief has to carry out his job according to the act, according to the priority and policies set by the board. So as long as the board did not see any deviation or any dangers in the chief's actions of providing police services to the community, then the board should not interfere, because that is within the domain of the chief. But when the board sees that there's jeopardy in the provision of police services, then the board should act.

Mrs Dombrowsky: Yes. I would suggest that when there is that kind of division, probably the community is not getting the very best police service, when there's that kind of bad blood within the groups of people who are providing those services. Your role as a member of the police services board, then—

Dr Lau: Is to foster a better relationship between all parties, not just the association and the chief. We should foster a better relationship among the community, the public in general, the association, the chief and the municipal politicians. We are accountable to the municipal politicians as well.

Mr Gravelle: Dr Lau, good morning.

Dr Lau: Good morning.

Mr Gravelle: I notice that you are chairman of the Chinatown Community Police Liaison Committee and I'd like to hear a little bit about that. But one question I wanted to be clear on was another important position you hold as a member of the Ontario Civilian Commission on Police Services, which is an important position. But I would presume that's a conflict in terms of this position. So are you still a member, or are you planning to resign if you are appointed today?

Dr Lau: Yes. I am currently still a member of that commission and I will resign when my nomination has been confirmed.

Mr Gravelle: All right. Thank you very much.

In terms of your work as chairman of the Chinatown Community Police Liaison Committee, when was that formed, and what do you consider as being some of the more significant achievements in terms of obviously working with the police force? I must tell you I'm also a

huge fan of community policing. I come from Thunder Bay, Ontario. We think community policing has been a real key to improving the services and people's comfort level with the police force and police officers. We believe in that as well.

I'm just curious, if you can in the little bit of time we have left tell me what you think some of the key elements of your role have been as chairman.

Dr Lau: The CCPLC was formed in 1996. I was the founding chair of that committee. During my years with the liaison committee, I found that most common from the committee is a lack of sensitivity, especially with the ethnic community. They said the police, when they come in, don't spend time with the victim or with the family of the victim of the crime. But at the same time the officers will say that they have not received enough co-operation from the community, that in a sense they don't report the crime. A lot of times the crime is reported through a third party just telling an officer that there was a crime committed in the community, that there may have been a robbery there, but the victim of the crime did not come forward.

My job as chair of the CCPLC is to bridge that gap to bring the parties together. Within that year, I think, an incident happened in Toronto, the Edmond Yu case. The person was shot in the TTC bus down at Harbourfront. It generated strong emotions in the community. Our committee was very effective in dissolving the tension between the police services and the community. We held a press conference with the senior staff attending, senior officers attending that event. It was covered by the Toronto Star. Through that meeting a lot of tension was defused, and I was quite happy with the outcome of that event. We found the CCPLC were effective in those matters.

1020

Mr Rosario Marchese (Trinity-Spadina): Welcome, Mr Lau. We should just tell the other members that Mr Lau and I know each other. We are of two different political parties and we know that, but we have a very respectful relationship with each other.

The Chair: Something like the Legislature.

Mr Marchese: This is true. Although we attack each other from time to time, we are very friendly, and I have that friendly relationship with many Liberals as well.

Mr Lau, some quick questions here: Mr Bromell has been a very controversial individual, obviously, and I just wondered how you might deal with some of the questions that might arise as a result of anything he might do and/or say. In September 1999, Mr Bromell threatened to launch a work-to-rule campaign, whereby his members would only respond to emergency 911 calls if the board did not agree to a wage settlement with the police association. And in a November 1999 appearance on the CBC's Fifth Estate, Mr Bromell declared that his association was prepared to hire private investigators to collect information about public figures the association had identified as its political enemies. What is your sense of how to deal with those questions that arise that are somewhat problematic

for many people in our society? How would you, as a member, deal with questions like that?

Dr Lau: I think that my experience from the Ontario Civilian Commission on Police Services will come in handy in this situation. Civilian government is a cornerstone of government. The Police Services Act has outlined what the association, what the chief, what the board can or cannot do. As long as Mr Bromell's actions did not violate any rules or regulations or law, then in our democratic society we should allow that to carry on. We should not interfere just because we don't like it. I think it reflects well in the past few events that when his actions jeopardized the police services image or the effectiveness provision, he was ordered to stop and he obeyed that order. So that reflects quite well how the institution has been functioning. I don't see the current matter as the major problem, although it has to take its course in any event. Eventually, it will settle.

Mr Marchese: Yes, eventually it will get settled one way or the other; you're quite right. But there have been a number of people who have been critical of him and of the association generally, and when that happens, you could be faced with a great deal of attack by the association. You're familiar with Ms Judy Sgro. Throughout 1998, the police association engaged in public exchanges with the then North York councillor and police services board vice-chair Judy Sgro, who had criticized the conduct of a police chase in May and other things. She felt hounded by the association and Mr Bromell in particular—to that extent that of course one is forced to leave. How would you deal with that? If you said something that was controversial that Mr Bromell and the association didn't like, how would you cope or deal with it?

Dr Lau: I think a lot of police changes require the board's support. I don't think Mr Bromell will go out of his way to upset a board member. At the same time, we have a job to do. It's prescribed by the legislation, and as long as I do my job according to the act, then I should be OK. With any party in the agency or the organization, I should not worry whether I would upset anybody. My job is to oversee the provisions of the Police Services Act.

Mr Marchese: I understand. I'm assuming Ms Sgro was playing the same role you say you are about to play. Are you thinking maybe Ms Sgro should not have said some things she said in the past? Is that what you might be saying?

Dr Lau: I will not make any comments on comments made by somebody else. I can only tell you what I would do.

Mr Marchese: I understand.

Dr Lau: I think my track record will show I do not like confrontation.

Mr Marchese: I appreciate that. Can I ask you another question?

Dr Lau: Yes.

Mr Marchese: People of colour have some concerns about the police, generally, in terms of their sense of disproportionate mistreatment and the disproportionate

number of people, particularly from the black community, who get shot. There's a great deal of mistrust of the police by them. What is your feeling about that, and what would you say and/or do to deal with those differences and/or problems that are there in the community?

Dr Lau: I think my appointment will reflect the changes. Being a member of the ethnic community, my appointment would show the community that police services are still under a civilian government. At the same time, in the declaration of principles of the Police Services Act, the services are supposed to reflect the community they serve, besides providing protection and security to the community. They're supposed to reflect the needs of the community.

Mr Marchese: I understand that part. It's good to have a person of colour on the Toronto Police Services Board, absolutely. But I raise a different problem: the people of colour have a distrust and feel that the police disproportionately kill a lot more black people than others. I was asking you how you would deal with either that feeling or that problem. Yes, they appointed you, and that reflects well on the government in terms of appointing someone who is a person of colour. But how do you think we should deal with the problem that people of colour have?

Dr Lau: Right from the beginning I've said my interest is in community policing, and through that initiative I hope I could develop some policy or channel where dialogue could be maintained between officers and the community. Through this communication channel, a lot of things, a lot of misunderstandings could be resolved.

Mr Marchese: Thank you, Mr Chair. I think those are the only questions I've got.

The Chair: We will now move to the government. Mr Mazzilli.

Mr Frank Mazzilli (London-Fanshawe): Clearly, I'm encouraged by your answers to the questions of the opposition members, Doctor, particularly your answer that your job is not to make the law but to abide by the current laws under the Police Services Act and not bring your opinions to whether a member is conducting himself or herself appropriately, but whether they've done something wrong. I'm encouraged by those comments.

I also want to offer a bit of advice on community policing, if I could, because we hear so much about it. It's like pie in the sky. If I ask Mr Marchese or Mr Gravelle what it is, I'll bet I would hear different opinions of what community policing really is, because in fact nobody really knows.

Mr Marchese: What's yours?

Mr Mazzilli: My opinion is that we did community policing better 20 or 30 years ago than we do today. It is officers on the street, on foot in cases where you can, and the most that you can.

Through time, we decided we were going to put a lot of resources into educational programs. In some cases they worked, particularly on impaired driving with our young kids. But we've put so many resources into educating everyone every time there's a criminal problem,

when in fact we're educating 99% of the population who are never going to do anything. Therefore we never really prevent anything five years from now. The numbers keep going up.

My recommendation to you would be that if you truly want to get back to community policing—there are always going to be calls for another educational program, and you're going to have human resources issues to deal with—always stray on the side of putting some people in the community, on the street, walking when you can. That is my only bit of advice.

Dr Lau: Thank you for your recommendation. I'll take that into consideration.

The Chair: Thank you, Mr Mazzilli, for your advice. Mr Johnson.

1030

Mr Johnson: Dr Lau, you were a member of the Ontario Civilian Commission on Police Services?

Dr Lau: That's correct.

Mr Johnson: Are you still a member of that body?

Dr Lau: Yes, I am.

Mr Johnson: Will this preclude you from serving on both?

Dr Lau: Yes.

Mr Johnson: I see. Were you a member of that board when Mrs Karlene Hussey was on that?

Dr Lau: No.

Mr Johnson: I also want to say how disappointed I am that you're running for this office, because you're a family physician and we need doctors badly in all our communities.

Dr Lau: This is a part-time position.

Mr Johnson: Yes, and I hope you'll take that lightly, because that's the way it was intended.

When you were helping with the stress testing at Toronto Western Hospital, was that under what is called the SPACE program?

Dr Lau: It's a separate program. We are part of the SPACE program, which was initiated several months ago.

Mr Johnson: Was that with Dr Jean-Lucien Rouleau?

Dr Lau: I believe so. I cannot confirm that for you.

Mr Johnson: OK. Dr Lau, I just want to say that I judge people by the company they keep and the things they contribute to their community. Your contribution to your community is impressive, and I'll have no problem supporting your appointment.

Dr Lau: Thank you very much.

The Chair: There being no further questions, Dr Lau, thank you for being with us today.

MURRAY CARDIFF

Review of intended appointment, selected by official opposition party: Murray Cardiff, intended appointee as Chair, Agriculture, Food and Rural Affairs Appeal Tribunal/Board of Negotiation.

The Chair: Our next intended appointee is Mr Murray Cardiff, intended appointee as Chair, Agriculture, Food

and Rural Affairs Appeal Tribunal and Board of Negotiation. Welcome to the committee, Mr Cardiff.

As I know you heard me say earlier, you have an opportunity, should you see fit, to make an initial statement, and subsequent to that we will have questions from each of the three political parties. We'll be starting with Mr Marchese when we do that.

Mr Murray Cardiff: Good morning, Mr Chair and members of the committee.

I want first to thank you for the opportunity to come to the Legislature and meet with you and hopefully explain some things about the tribunal and myself and why I feel I can work with and help this tribunal.

Before I do that, I should talk a little bit about my career history. I think most of you probably have some information indicating that I served as a member of Parliament from 1980, for three months short of 14 years, representing the riding of Huron-Bruce. During that time, we maintained our farming industry; I have two sons who are both farmers, which allowed me to continue doing what I was doing and still maintain what we called a family farm. When, I could say, I lost my job in 1993—as we all know, in politics those things happen and that's life and we all expect it—I had something I could return to. When you return to places you've been away from for a number of years, you have to make sure to remember that your wife and family have been operating things while you've been gone. I probably had to make some adjustments in my life when returning, to say I was not the boss any more and that I had two sons and a family who carried on and did very well while I was doing other things.

Since the time I returned, I still have a 200-acre farm where Betty and I live. Both our sons are very close and have expanded their farming operations as well. So we continue to farm. We also have a daughter who lives in London and works as a manager for Ernst and Young.

On our farm, for years now, we have produced pedigree seed. We are all pedigreed seed growers. I think I have completed 25 years as a seed grower and it was two years ago I received the Robertson Association award, which is given to a few seed producers throughout Canada on an annual basis. The year that I received it there were probably two or three of us who received that award. I guess it would be because I was a seed grower, but also I helped develop and steer the plant breeders' rights legislation through the federal House of Commons at that time.

I also kept very active in our community, sometimes more active than I would like, but when you retire from politics, or whatever the situation might be how you leave, everybody else thinks that you have an ample amount of time to do all of these jobs in your community. But the first project that I was involved in was in our church. We had an access committee. We put in a new lift and made access for all those who wished to attend much easier. I chaired the homecoming celebrations for our community shortly after that. Then on March 20, 1997, I was appointed to the Farm Products Appeal

Tribunal, in rural affairs, which it was at that time. Then, as you are aware, all of those tribunals were amalgamated at one time. There were some cross appointments made shortly after that from other tribunals and then eventually it all amalgamated. I still continue to serve as a panel member on those amalgamated tribunals.

I have been in corporate fundraising for the International Plowing Match when it was held in Huron, and that's not always fun but you always meet another group of people who get some joy in doing those things as well.

I'm the present revenue chairman for the world plowing match, which is going to take place in Elora, Ontario, in 2003. Probably someone from my committee will be visiting some of you people for your involvement in that event when that takes place.

I'm also chairman of the board of managers of our church, and those are always challenges as well.

I want to say I have enjoyed working with the appeal tribunal and the members of that tribunal. I would like to think that I have made a contribution and I feel I can make a further contribution as the chairman of that organization. I should tell you—maybe you know this—that we have not had a chairman of the tribunal since February of last year. Mr Jim Rickard had chaired it, I believe, since 1992. The appointment had come up and he was not reappointed, but it was some time before anyone was aware that he was not going to be reappointed. At the same time that this was taking place, the marketing secretary-manager who was employed by the tribunal retired and a new person was hired. So it has been difficult in some ways being without a full-time chair. We have some excellent vice-chairs, and the one chair who has more than taken the lead is Dr Denis O'Connor, a veterinarian from the Markham area. He's done an exceptionally good job, but we know it's a tribunal that needs leadership and it has gone, as I say, since last February without a full-time chairman.

I feel I work well with others and I believe I have leadership skills. I developed those when I was in Ottawa because I chaired government House committees and then served as parliamentary secretary to various ministers, and not always agriculture. I did spend two and a half years with the federal Solicitor General. As a farmer, I can tell you that was quite an experience, to be put into a situation of policing and corrections. But I believe it helped develop further skills by being able to be in that position. To have leadership skills means that you have to probably help form a direction, and it helps you to make that decision that is necessary at the end of some of the hearings.

1040

I have a great understanding, I believe, as a farmer, because most of the things we deal with are agriculture-related or rural property areas or marketing of some kind, and I have worked with a lot of the farm organizations over the years. I understand them. We do have quite an array of problems that come before us. We take them as they arrive, and hopefully we can make our list come more quickly, that those who are aggrieved by some

situation get an opportunity to appear before us much more rapidly. The process sometimes, before things get to us, takes some time and there is some frustration with some of the appellants who do appear because of the time that it's taken.

We have quite a number of boards. We have the farm products, we have drainage, we have crop insurance, farm machinery and farmland tax that we all deal with, all of those areas, and I believe they are very important.

I believe I could operate a tribunal as Mr Rickard did and our vice-chair has done, where it has made an appellant, no matter who he or she is, feel comfortable in front of the panel. There is a formality that has to be followed. We have to recognize we're not a court; we are a quasi-judicial group that has the authority to make decisions. But we want to maintain a feeling, for those who wish to appear before us without having counsel or representation, that we can have an atmosphere of comfort for those people to appear and present their feelings.

Once again, thank you for the opportunity of coming before you and I look forward to your questions.

The Chair: Thank you very much, sir. We'll begin with Mr Marchese of the third party.

Mr Marchese: Mr Cardiff, I just want to immediately admit my ignorance of agriculture and farming, generally speaking. It's normally limited to my vegetable garden. There's a lot of vegetable gardening in Toronto, I should tell you; it's quite big. But that's the extent of my knowledge.

What I want to ask you, based on your experience, is there something that you have done in the last couple of years, or obviously as a member, that you feel works well or that you feel ought to change to make it better?

Mr Cardiff: We handle so many different cases and every case has a difference to it. We do have to work within regulations. I know that every one of you recognizes and knows that we don't make the law; we have to abide by the law. There are times when you're going through the process and there are little things you might see that you would like to see changed, and sometimes that might just be the process of change. Of course, you sometimes come across some pieces of legislation that you think if this were changed, it would probably help that particular industry in some way.

When you mention your vegetable garden, that doesn't come under any regulation, I should mention to you as well. There is the Ontario Fruit and Vegetable Growers' Association. Until you expand your garden, I think you're all right.

Mr Marchese: I appreciate that.

A quick question. I'm sure you're familiar with this, but I want to read the researcher's comments on this and see whether you have any opinion on it:

"The Chicken Farmers of Ontario is challenging a December 1999 ruling by the Farm Products Marketing Commission which it claims fundamentally alters the balance of power between the chicken farmers and the chicken processors. According to the CFO, the com-

mission ruling would remove the CFO's authority to determine how much chicken will be grown in Ontario, based on its estimate on how much the market can handle. Instead, the processors would place orders with the CFO. If allowed to stand, the commission's decision would undermine the CFO's authority to control supply, which is a basic principle of supply management by marketing boards."

This is a piece of research that we were given here. Do you have a sense of this issue or a sense of where you'd want to go?

Mr Cardiff: I'm one of the panel members hearing that case at the present time. This has probably gone on record as being the longest hearing. We've had to extend the time frame or deadline because of the number of people involved in this program. At the present time, we have sat a total of 29 days on that hearing, and I believe for the month of October we have eight further days designated to that hearing. I'm somewhat unable to indicate anything further about the case because it is still before us and I would not want to make any comment that would indicate one way or the other.

Mr Marchese: Of course. With 29 days, and eight days to go—you said many people have come before you. Are those individual folks—

Mr Cardiff: The Canadian national restaurant association, the further processors—we have an independent processor who isn't represented by anyone else but himself. We have two interveners we haven't heard from yet. We have not got all the presentations in at this time. I don't think I would be out of line in saying that we hope to finish the presentations fairly soon and then go to summations.

Mr Marchese: Mr Cardiff, I really don't have much more to say. I'm interested in the other members, of course, because they have a great deal of experience in this. But I appreciate the experience you bring. I suspect that you will, yes, make people feel comfortable as they come before you. You seem very personable. I'm sure you will do the job very well.

The Chair: I hate to tell you this: there is no time left for the government. But since Mr Marchese took less time, and with the permission of the entire committee, I would like to give the members of the governing party some chance to ask questions.

Mr Johnson: I'll waive the time that I don't have.

The Chair: I think Mr Ouellette wanted to ask a question. Is that all right with members of the committee?

Mr Jerry J. Ouellette (Oshawa): First of all, who was the minister when you worked under the Solicitor General? Was that Lewis or was it Campbell?

Mr Cardiff: That was Jim—from northern Ontario—

The Chair: Kelleher?

Mr Cardiff: Jim Kelleher.

Mr Ouellette: My main question is that I have some strong personal concerns with genetically modified crops, and seeing that you're a seed producer, in positions like this it's important for people to get a sense of who we're

appointing and what their positions are in regard to a lot of these. Can you explain briefly what your position is or what your beliefs are in regard to genetically modified crops, whether it's as a feedstock or whether it's for human consumption?

Mr Cardiff: That's extremely difficult because there are varied opinions and I think an awful lot of misunderstanding sometimes. I believe it's an area where we need to walk extremely slowly to see what the long-term effects are of altering. I do have some concerns with the genetic modification of plant seeds, and the same with animal seeds as well. I think it's something that needs to be studied to see what the benefits are. We can say that, yes, we can see benefits to underdeveloped countries where they could take some of the seeds that are genetically modified and produce seeds much easier than they can at the present time. But that doesn't mean that it's right. I can't give you a clear and definitive answer. I believe it's something that we can't just forget about. I believe we have to deal with it.

My biggest concern is maybe those who are developing the genetically modified seeds where you have to use a chemical in conjunction with that seed to grow it. That would be my biggest concern, where you lose your ability to change seeds or whatever because you have to use all of their products to maintain that variety, such as Roundup Ready soybeans.

We have to remember too that in plant breeding every time you gain something you lose something. It could be in the quality of the product that you are producing. We have gone to some of the hard red wheats, so I'll use that as an example. It's not genetically modified but they have taken genes to strengthen the stock. Now you're finding that the stock lies in your field probably a year to two years longer because you have maintained that stronger stock. It doesn't germinate as quickly. It still produces a good seed, but then you're dealing with the waste or the stubble, or whatever you want to call it, for a longer period of time. Little things like that make you recognize that every time you gain something you lose something. You maybe could produce the best white bean in the world, a beautiful plant that will stand, but you might produce a bean that you don't want at all. So I think it's a very cautious—it's an emotional area, very emotional, and I think a lot of times statements are made where the public aren't totally informed as to what are really genetically modified crops.

Mrs Dombrowsky: Good morning, Mr Cardiff. With regard to your intended appointment as chair, you are already on the appeal board.

Mr Cardiff: That's right.

1050

Mrs Dombrowsky: How is it that you have come to find yourself as the intended appointee? Has someone approached you? Is this something that among the members of the board collectively you decided that it might be in the best interests? You talked earlier about the need for leadership, that someone should go forward, someone should offer to be in that role and collectively

you've agreed that it might be you. How is it that you find yourself nominated for this role?

Mr Cardiff: Initially, I don't think any of us as panel members had expected the previous chairman not to be reappointed. Then we realized that was not going to happen. I had indicated that I would be willing to sit as a vice-chair, at that time. Then when we realized there was not going to be a reappointment of the chairman, the vice-chair, Dr Denis O'Connor, and the marketing manager approached me to see if I would consider letting my name go forward as the chairman of the tribunal.

It's an area I feel very strongly about. I feel it needs leadership and I care enough about the areas we represent that I feel strongly I want to do that and have the opportunity to lead the group of people that we have.

Mrs Dombrowsky: So it was basically discussed among members of the board.

Mr Cardiff: It was not widespread. It was within a few people. I don't know whether the former chairman had anything to do with it or not. I don't know that.

Mrs Dombrowsky: The former chair chose not to stay in that role?

Mr Cardiff: I don't know. I never met with the former chair until the night before last. It was the first time I met with the former chair since he chaired.

Mrs Dombrowsky: Oh, really?

Mr Cardiff: So I have had no discussion with him until just last Monday evening.

Mrs Dombrowsky: I'm trying to determine, would the former chair have been interested in continuing in the role and simply wasn't reappointed, or chose not to pursue that?

Mr Cardiff: No, I believe that he probably would have continued as chair. I can't really answer that. But I have to tell you that I had great respect for him. He showed good leadership and he conducted exceptionally good hearings. If I'm appointed, I hope I would have that same ability to do that. I've worked with him since 1997 and I have a great understanding of how he conducted his hearings and I would hope that I can follow that to a great extent.

Mrs Dombrowsky: Yes, I'm always curious, when someone does so very well in a role, as to why they might not be reappointed. I do thank you for your comments, though.

Mr Cardiff: I think we have to remember too that a lot of appointments, whether it's written or unwritten, sometimes they're six years and sometimes an appointment is only for one, two or three years. Then if the sitting government decides to extend it, they extend it to a further appointment. If I happen to be selected as chairman, I have to be honest, I don't know what the length of the term is. I have not asked that question.

The Chair: It's like when you were in Parliament.

Mr Cardiff: That's right.

Mr Steve Peters (Elgin-Middlesex-London): Mr Cardiff, thanks very much for coming. I have to take exception to a recent decision that you were involved in and that's over the closure of the tobacco auction in

Tillsonburg. I believe that was dealt with by your committee.

Mr Cardiff: I have no knowledge of that.

Mr Peters: No? OK.

Mr Cardiff: That would be the farm products marketing council, because I don't believe the tribunal has the authority to do that.

Mr Peters: You made a comment to Mr Marchese that you don't make the laws, but that you abide by them. Right now, we've seen in the province there's been a real shift in assessment values to agricultural land. A lot of the tax bills have gone out. My phones are lighting up in my constituency office. There's been a great deal of talk that we're going to see changes to the Drainage Act and who knows what the future of it is right now.

As the chairman, if you see that the direction the Ministry of Agriculture is going in is something you don't feel may be appropriate or in the best interests of those in the agricultural community—recognizing you don't make the laws, you abide by them—how receptive are you to getting in touch with the Ministry of Agriculture, if it was an agricultural issue, to say, "Look, we're dealing with quite a few assessment appeals right now, quite a few drainage appeals. You need to look at this." How would you react to something like that?

Mr Cardiff: I always have felt that for any tribunal, whether it be drainage, farm products, whatever it is, where a change is going to be made or where a change should be made, there is an obligation on that tribunal and the chair to make an effort through the proper channels as to the concerns about what is there or what is being proposed. I strongly believe that should happen, and I would certainly do that.

Mr Peters: You're from Huron county. I was in Holmesville dealing with the nutrient management legislation. Seeing that under the board of negotiation, under the EPA, there are issues there from a spill standpoint, with this new legislation, what will you do as a board? Will you try and review what the new legislation and regulations are saying to ensure that the decisions you make are going to coincide with the intent of new legislation and regulations?

Mr Cardiff: I'm not sure that we have a mandate to review that legislation, but we should understand that legislation. I should point out to you as well—I know this is reasonably new—that in the time I have been with the tribunal, and I understand since 1992, when Mr Rickard was the chairman, there's never been anything before the board of negotiation. But that doesn't mean it's not going to happen, and we have to be prepared. The board of negotiation is only called in, as I understand, when the parties have failed to reach an agreement as to the compensation of damage that has been done. We are probably seeing a time when more and more of those things are happening, and unfortunately many of them end up in a court of law to be settled.

Mr Peters: I see that crop insurance appeals, as far as your workload is concerned, is not one of the heaviest issues that you deal with.

Mr Cardiff: It's one we do deal with, though.

Mr Peters: Yes, I see that you do, but there are others that you seem to deal more with.

As far as the crop insurance and the whole question of Agricorp is concerned—again, it kind of goes back to that question—I think we've got to continually find better ways to do things. If, for example, you were noticing some issues coming before you as far as appeals are concerned that maybe weren't in the best interests of farmers, how would you deal with that? Would you be again notifying somebody within the ministry that we've got a problem here?

Mr Cardiff: I will use the example of crop insurance hearings. It could be presented in the findings, the difficulty with the legislation and the frustration, possibly, with that legislation. It could be pointed out there. There again, that is something that needs to be brought to the attention of others and find its way to the minister's office. I do believe a lot of those things find their way to the minister's office long before it comes to us too. But as times change we have to recognize that it requires different things to happen, because crops change, and the weather patterns the last few years have been unusual to what we've experienced in agriculture over the last number of years. We've had extremely dry times, we've had extremely wet periods and we've had pockets of dry weather. With crop insurance it's difficult to have one policy that covers all areas. Perhaps there are some areas there that should be addressed.

Mr Peters: I guess that leads right into another question. If there are other areas that need to be addressed, or in dealing with what you deal with now, who should conduct a review to ensure that as chairman of the board, you're dealing with the appropriate, whether it be assessment board or negotiation, farm implements—I don't know the last time that the makeup of your body has been reviewed, but in your opinion are there other things that your board should be looking at that you're currently not looking at?

1100

Mr Cardiff: I have been asked by individuals if we could assist them in their endeavours, but it's not in our legislation to have those people appear before us. That would be up to the government of the day to designate any further tribunal work toward us, outside of what we presently have.

The Chair: Your time is just up as well, so it works out perfectly. Thank you very much, Mr Cardiff, for being with us today.

DOM CARUSO

Review of intended appointment, selected by third party: Dom Caruso, intended appointee as member, Council of the Ontario College of Art and Design.

The Chair: Our next intended appointee is Mr Dom Caruso, intended appointee as member, Council of the Ontario College of Art. Welcome to the committee, sir. I think you know the rules. You're permitted, if you see fit,

to make an initial statement. You don't have to, but you're certainly permitted to do so.

Mr Dom Caruso: I would like to, if I can.

Good morning, everyone. I'm honoured to be a candidate for the appointment to the Council of Ontario College of Art and Design. I'm a big believer in the school and I feel I can make a valuable contribution as a member of the council.

Let me just introduce myself. My name is Dom Caruso. I'm president and CEO of MacLaren McCann Canada. I am a graduate of the Ivey School of Business at UWO. I've been in the Canadian marketing and communications industry for almost 20 years now. I'm Canadian born and bred, just outside of Toronto, actually in Richmond Hill. I currently reside here in Toronto with my wife and two children.

Just to tell you a little bit about MacLaren McCann, we are one of Canada's leading advertising and marketing communications agencies, with annual revenues of approximately \$80 million. We have our main offices right here in Toronto and we do have some satellite offices in other parts of the country. MacLaren has in fact been one of Canada's leading agencies for almost 75 years. The creative spirit of the company has been responsible for some pretty memorable advertising work, but also for some enduring cultural contributions as well, including Hockey Night in Canada, which was conceived, developed and produced by MacLaren way back in the 1920s; not quite as old as the Ontario College of Art is, but we've got a long history in this province. While we're very proud of that history, we're most proud of our success in more recent times, and this kind of segues to the Ontario College of Art and Design.

Our agency has grown dramatically in the past five years, literally doubling in size. A big part of that growth has been the expanding array of design and creative services that we are providing. While at one point we were primarily providers of advertising creative, today our services include Web design, video and film development, package design, logo design, industrial design for displays and merchandising and so on. So I can tell you from first-hand experience how important the work of the Ontario College of Art and Design is to our business and to the industry in general.

Over the years, we've hired a number of staff who are alumni of Ontario College of Art and Design, and I don't see that letting up in the future. In fact, over the past number of years, our agency has been a significant financial contributor as well to the Ontario College of Art and Design, and I personally have given up many hours of my time to provide lectures to students there in specific areas of marketing communications that were not covered in the standard curriculum. So there's little question in my mind that our agency has good reasons to want to support this school in any capacity we can.

But there's another reason why I was very happy to be nominated for this and to want to volunteer for this appointment that goes beyond the particular industry I'm in, and that's because I have a very strong fundamental

belief in the importance of applied art and design to Ontario's economy and Canada's economy now and in the future. We have many resources in this country, and I believe one of the most important long-term resources is the creativity of our people. I believe that creativity and design does add value. It does create industries and jobs. I believe it provides a stage in which we can take on the world.

Today we see many countries that leverage their strengths on applied art and design to become world leaders in a particular field, and I see no reason why this cannot apply to Canada as well. In fact, in certain areas, like Web design, we're already showing that Canadians can take on the best in the world and win global contracts.

For these reasons, I believe the work of the Ontario College of Art and Design is fundamentally important to Ontario and to Canada. I would be proud to play whatever role I can to help support the college. I look forward to answering any questions you might have.

The Chair: The first party eligible to ask questions would be the government.

Mr Wood: We will waive our time.

The Chair: So we'll move to the official opposition.

Mr Gravelle: Good morning, Mr Caruso. You are obviously very excited about the appointment to this. I'm curious to get some specifics, if I could, from you in terms of some of the goals you have in regards to the college. I know they're going through an expansion program which is pretty vital, so you're going to see a real increase in the number of students. You need more space. Do you see yourself playing a very specific role in that?

Mr Caruso: I'll be honest with you: I come to this with no specific knowledge of the key issues that are in front of the council at this time. So I think my interest is on a 50,000-foot level in terms of the long-term purpose of the school and my expertise in the industry that I'm in. I can probably help provide some guidance on the specific issues they are looking at. But the key issues on the table this week, I don't know what they are and I can't profess that I have that knowledge.

Mr Gravelle: I appreciate that. The world of art and design, though, is continually changing. I presume that you want to give some input in terms of those changes, in terms of how the school is operating and even in terms of a curriculum base.

Mr Caruso: I think what I can provide is a knowledge as to the kinds of demands that our industry will have longer-term, and as I mentioned, we are hiring more and more people who have the kinds of skills that these students are graduating with. I can come with that knowledge and provide guidance in that way.

Mr Gravelle: So you haven't given it a great deal of thought in terms of what role you want to play. As a leading figure in the advertising world in Canada, that's significant, obviously.

Mr Caruso: The way I look at it is that I'll be one of many voices. I think there are over a dozen people on this

particular council, so I'll present a voice that should be on this council.

Mr Gravelle: Do you see yourself as being part of the fundraising aspect as well? Obviously the province has provided some funding, I guess SuperBuild, and then there's—

Mr Caruso: There's still a gap. Absolutely. I suspect that will be one of the key issues for the council over the next number of months.

Mr Gravelle: Can I ask you how the appointment came about? Did you seek it out?

Mr Caruso: No. I got a call from Steve Quinlan, who's the assistant dean at the school. I knew Steve from years ago because he was the one who first coerced me into giving up some of my time to do some lectures there. He said there were some vacancies within the council and would I be interested; could I find the time to do it? I thought it was a good idea. I need another responsibility like I need a hole in the head, but I think this is a pretty good cause and I was happy to volunteer. I hope I will get selected.

Mr Gravelle: Let me ask you a general question: do you think the advertising world is going to be changing as a result of some of the extraordinary events that have taken place, September 11 in particular? Do you think there will be a change in terms of advertising? Obviously you've got to—

Mr Caruso: There's no question there's an immense short-term change. We're seeing all sorts of—

Mr Gravelle: In terms of taste and things like that.

Mr Caruso: Well, no. I think we've always been very sensitive to issues that might be tragic and that kind of thing. That sensitivity obviously is going to be heightened from here on. But I think some of the more fundamental changes—we'll have to see what happens long-term to the airline industry in Canada and other parts of the world. It definitely will be different, and there's no question that has been a big part of marketing spending in Canada. It's hard to imagine that getting bigger. It's probably going to contract. So I think we will see some fundamental long-term changes that way.

Mr Gravelle: With the economic reality in terms of some shifts, perhaps, in terms even of your industry as well.

Mr Caruso: Absolutely. Yes.

Mr Gravelle: Leona, do you have any questions?

Mrs Dombrowsky: Yes, very briefly. Good morning, Mr Caruso. You had made reference to the fact that you are prepared to volunteer your services to this board. Is there any compensation for serving on this board?

Mr Caruso: Not that I'm aware of. I think it's expenses. I suspect, since I'm in town, I'm allowed zero.

Mrs Dombrowsky: OK. I was just curious. With a number of the boards to which people are appointed, there is an honorarium, so I was curious.

Mr Caruso: Not in this case.

Mrs Dombrowsky: You've been given to understand that it's a volunteer position. Very good.

1110

Mr Marchese: Mr Caruso, welcome to this committee. I should tell you I met with a number of board members in the past because they've been talking about expansion for quite some time, just to tell you I've been very supportive of them and happy to see the expansion of the college. You're probably familiar as well with Bill 88, that allows the college to grant degrees, as opposed to diplomas. I'm assuming you're very supportive.

Mr Caruso: Yes, I'm very supportive of that, actually.

Mr Marchese: I suspect we'll see more students applying to the college as a result of that, I would anticipate.

Mr Caruso: I would think one of the other things it does is that the more intellectual capacity we have in this country in terms of creative and design, the better. I really do think it does have a long-term economic impact. If all the fine art colleges in North America are going this way and offering more degree programs, I think we have to do it in order to continue to attract the best and the brightest.

Mr Marchese: For sure. I suspect that some universities were a bit nervous about this. They probably thought they were serving the public well in some of these areas and that they didn't need to necessarily give this college that degree-granting ability because other universities are doing it. Personally, I didn't see a problem with it at the time. Do you?

Mr Caruso: I hadn't thought of that as a key issue, but I would suspect that the particular niche that the Ontario College of Art and Design is occupying isn't directly competitive with the other universities. I think it is serving a certain kind of student. At one level, if somebody wants to get a degree in the area of applied art and design and they can't get it locally, they might go somewhere else to get it.

Mr Marchese: The government is obviously contributing \$24 million to this expansion and you folks have to raise \$14 million. I'm assuming some of you are worried, or some of the college folks are worried, about raising that \$14 million. Do you have any ideas about that?

Mr Caruso: It's a fair amount of money, but we work with a number of organizations where we help them do fundraising, so I don't see it as an insurmountable gap, but it's certainly a big one.

Mr Marchese: One of the questions you'll be dealing with is that, because the college wants to expand on the southern part of the college, there is a strip of land there that obviously belongs to the art gallery. There have been negotiations for quite some time with them. I'm not quite sure where they're at. Are you?

Mr Caruso: No, I'm not. I suspect that's one of the issues I'll learn more about if I'm part of this council. But at this point, other than knowing that there's a strip of land that's in disagreement, I don't have any inside knowledge on that.

Mr Marchese: The growth has been significant at the college, and of course you couldn't accommodate that

under the current context and you'll be able to accommodate more once the building goes up. I suspect there'll be more and more students who will want to get into this college. What will the college do then, when you reach capacity? Would you have some suggestions for the government in terms of what they ought to be doing then?

Mr Caruso: At this time I can't say that I can comment in any intelligent way on that particular issue. I understand that they want to build the school and grow the school. I believe they are adding academic staff to help handle that growth. There is a double cohort in two years, so they've got to prepare for the kind of growth. As I said, I'll be a lot more intelligent on all these issues, hopefully, in a short period of time.

Mr Marchese: I'm sure you will be. By the way, it's in my riding of Trinity-Spadina, in case you didn't know.

Mr Caruso: I didn't know that.

Mr Marchese: You're just outside of my riding, but I wish you the best. I'm sure you'll do well.

The Chair: That completes our interview, if we'll call it that today, our procedures here. You may step down and the committee will engage in its deliberations. Thanks very much for being with us.

We now deal with the appointments that are before us. The first will be Mr Benson Lau, who is the intended appointee as member of the Toronto Police Services Board.

Mr Wood: I move concurrence re Dr Lau.

The Chair: Any discussion? All in favour? Opposed? Motion carried.

The next one is the intended appointee as chair, Agriculture, Food and Rural Affairs Appeal Tribunal and board of negotiations, Murray Cardiff.

Mr Wood: I move concurrence re Mr Cardiff.

The Chair: Any discussion? All in favour? Opposed? Motion carried.

The next one is Mr Domenic Caruso, intended appointee as member, Council of the Ontario College of Art and Design.

Mr Wood: I move concurrence re Mr Caruso.

The Chair: Any discussion? All in favour? Opposed? Motion carried.

That completes, I believe, the business the committee has.

Mr Wood: I move adjournment.

The Chair: All in favour? Motion carried. Thank you.
The committee adjourned at 1115.

CONTENTS

Wednesday 26 September 2001

Election of Vice-Chair	A-195
Subcommittee membership	A-195
Subcommittee reports	A-195
Intended appointments	A-195
Dr Benson Lau.....	A-195
Mr Murray Cardiff.....	A-198
Mr Dom Caruso	A202

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Rosario Marchese (Trinity-Spadina ND)

Also taking part / Autres participants et participantes

Mr Steve Peters (Elgin-Middlesex-London L)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer, Research and Information Services

HAZON
XC19
-652

Library
of Ontario

A-14



A-14

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 24 October 2001

Journal des débats (Hansard)

Mercredi 24 octobre 2001

**Standing committee on
government agencies**

Subcommittee reports

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapports du sous-comité

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 24 October 2001

Mercredi 24 octobre 2001

The committee met at 1003 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James Bradley): Our first item on the agenda is the report of the subcommittee on committee business dated Thursday, October 4, 2001.

Mr Bob Wood (London West): I move its adoption.

The Chair: Any discussion? All in favour? Opposed, if any? Carried.

Next is the report of the subcommittee on committee business dated Thursday, October 11, 2001.

Mr Wood: I move its adoption.

The Chair: Any discussion? All in favour? Opposed? Carried.

Next is the report of the subcommittee on committee business dated Thursday, October 28, 2001.

Mr Wood: I move its adoption.

The Chair: Any discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

ALAN MERVIN

Review of intended appointment, selected by the official opposition and third parties: Alan Mervin, intended appointee as member, Ontario Rental Housing Tribunal.

The Chair: We now commence our appointments review. The first is the intended appointee as member, Ontario Rental Housing Tribunal, Alan B. Mervin.

Mr Mervin, you may come forward. As you may be aware, you are permitted to make an initial statement, should you see fit. That's entirely your choice. Then there will be questions from the committee. They're allocated, I think, 10 minutes apiece for each of the political parties. Welcome, sir.

Mr Alan Mervin: Thank you for the opportunity, allowing me to speak with you today. I am pleased to be considered for this intended appointment to the Ontario Rental Housing Tribunal. I understand you've been provided with a copy of my resumé for your review.

I believe that my experience in the various areas of law in which I have practised, together with the advocacy skills, the dispute resolution techniques and experience I've managed to acquire over the years of practice, would allow me to bring to this tribunal qualities that would greatly assist me in carrying out the duties of an ad-

judicator. I hope they would allow me to make a significant contribution in dealing with the heavy caseload that tribunal has to deal with.

I am 52 years of age. I attended school here in Toronto and I grew up here. I graduated from York University with a bachelor of arts degree, major in sociology, in 1971. I then attended the University of Windsor law school from 1971 to 1974 and I received my LLB from that institution. While I was at the University of Windsor the university opened its first community legal services clinic. I was one of the first group of students selected to participate in that clinic during the last part of my third year, which was its first time of operation. At that clinic a large part of the caseload was landlord and tenant problems from the less-privileged segments of society, and I had an opportunity to participate in that process.

I returned to Toronto to article with the firm of Rotenberg Wilson, where I learned the basics of immigration law. Mr Rotenberg was a successful immigration lawyer and I tried to learn and appear with him on many hearings before the Immigration and Refugee Board; actually, it was the Immigration Appeal Board at that time.

After my call to the bar in April 1976, I worked with Gary Segal, another immigration lawyer who conducted a large immigration practice in Toronto.

In 1977 the Ontario legal aid plan, part of the Law Society of Upper Canada, began a pilot project of full-time duty counsel. Duty counsel were previously private lawyers who were retained on a per diem basis to assist unrepresented people, some of low means and people who weren't experienced with the court system. That was replaced on an experimental basis with young lawyers hired full-time to represent these people, and I was one of the first hires. We assisted, we advised and we represented many unrepresented persons. As the program turned out to be both cost-effective and provided greater delivery of legal services to more people, it was expanded two years later to encompass the suburban courts in Toronto, in Scarborough, Etobicoke and North York, expanding to 18 lawyers.

During this time in the front lines I became acutely aware of the problems facing less-privileged citizens of our society. Homelessness, housing, alcoholism issues were certainly great contributors to the problems we had to deal with.

When the program was expanded, I became assistant director of that program under the director, John

Weisdorf. Two years later, after that, I was still with legal aid and I was promoted and given authority over the entire criminal section of legal aid in York county, as it was then, reporting to the area director. I had administrative decisions, the opportunity to grant legal aid, to assess cases and to chair the area committee, which dealt with appeals.

From that time on, in 1980 I moved to private practice. I returned for a period of time with Gary Segal, whom I'd been with earlier, and did some immigration work. I joined the chambers of—as he is now—Mr Justice John Hamilton. There were, I think, eight lawyers in that firm. When an opportunity came to join that, I went there quickly. I remained associated with Mr Justice Hamilton until his appointment to the bench in, I believe it was 1992. During that time, my practice was split primarily between criminal trial work and advocacy at the Immigration and Refugee Board. I argued cases both at the inquiry level, the first instance, and many hearings before the Immigration and Refugee Board.

1010

In 1998 I was invited to teach at Seneca College, where I taught a variety of courses. During that time I also was able to enrol in the mediation, and later the advanced mediation, courses offered by the University of Windsor in conjunction with Stitt Feld Handy Houston. I received certificates in both of those courses.

In 1999 I joined the firm of Himelfarb Proszanski. At that firm I handled whatever criminal cases came into the firm. I learned personal injury litigation, which I had an interest in but had never had an opportunity to really practise. I also took part in some commercial matters that came through the firm. During that time I also received an appointment by way of order in council to be a per diem crown attorney, which is a crown attorney on a day basis. I still do that occasionally in Newmarket when they are short full-time bodies.

I hope that my experience and skill set fits within the selection criteria, which I have reviewed and which were outlined in the package provided for the interview with the tribunal. Those criteria included judicial and decision-making skills; legal, technical and program knowledge; developed interpersonal skills; demonstrated communication skills; and the ability to determine priorities and to work under pressure.

I don't believe I have any conflicts of interest, having reviewed the guidelines, that would affect my appointment.

I'm also able to work flexible hours, which I believe was one of the points that was stressed, and I'm available and enjoy travelling. I'm willing to participate in any performance review or evaluation and improvement programs, which I understand are a part of the tribunal, and I indicated that to the chair of the tribunal at my interview.

I should mention that I don't belong to any political parties, or I don't have any political associations. I don't know if that helps me or hurts me here this morning.

Lastly, I believe I bring to the table, together with my skill sets in advocacy and legal training and legislation analysis, some common sense and, I hope, an open mind.

I would enjoy the opportunity to be of service to the community if I do get this appointment.

The Chair: Thank you very much, sir. Now we'll commence the questioning with the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Mervin. Welcome. You indeed do seem to have some very special qualifications that hopefully will be very useful in this role that you will likely be taking on. May I ask you, are you familiar with the rather large changes that have gone on in terms of the legislation in the province? I'm referring specifically to the Tenant Protection Act, which obviously brought about the Ontario Rental Housing Tribunal. Are you familiar with the act?

Mr Mervin: I'm familiar with the act. I've had to review that. I've had an interview already with the chair and the two vice-chairs. I was sent an extensive package of material to review: the legislation, the practice rules, the conflict guidelines. While I haven't really practised it, I am familiar with it as one can be, having read the legislation and not having had a chance to be in the forum.

Mr Gravelle: Can you offer us any thoughts in terms of some of the concerns that have been expressed, for example, about the fact that the landlord now issues the eviction notice? There have been some real concerns expressed that the tenant is not necessarily, we think, protected in the manner he or she or they probably deserve to be from the point of view of the fact that they are not always aware that they must respond within five days. Some people think there's an obligation, or at least that it would be helpful, if the housing tribunal itself was also in touch with the tenant to help them understand the importance of what has just happened.

It seems in that sense, I guess, to make it easier for the landlord to be put in a position where they're under no obligation to inform their tenant of what their rights are. Do you have any thoughts about that? Obviously, given some of the history of where your work has been done, I would think that would be of interest to you in terms of the fairness.

Mr Mervin: Some of the concerns that have been expressed are with default orders being made against tenants who then allege they haven't heard of the process. The legislation allows me, as an adjudicator, to make a fairly detailed examination of the service process and make sure that there's no default order issuing without at least a reasonable assurance that the tenants receive notice.

I also think that the process gives the tenants a notice of hearing, and then an eviction order that follows that if they don't respond in default. Even if both those pieces of material come to the tenant outside of the time to file the dispute or whatever, the adjudicator still has the authority to allow those tenants, within a time period, to come before them and say, "I didn't know about this," and they'll reopen the hearing. So the legislation itself provides opportunity for the tenants to remedy it. It's not just one piece of paper that they get; it's more than one.

Now, as an adjudicator, I don't have any control over what processes the board would be able to undertake to

advise tenants. I know, in familiarizing myself with materials, that there have been a couple of projects where people have actually gone and called the tenants and advised them that there have been orders and they have to call the board right away and file their disputes in cases of default orders. I understand from reading—I don't know if it was in the newspaper—that less than 10% of the tenants who were so advised bothered to do anything about it.

While I'm certainly not in favour of a tenant being evicted when he doesn't have notice of the proceedings, I'm not sure that I can do anything about it as an adjudicator to assist in that process.

Mr Gravelle: Do you think it would make sense to extend the period of time—now the tenant must respond within five days, I think is the law—to a longer period of time? In many circumstances, that is something that either tenants aren't aware of or they certainly aren't able to respond within that time. Make it a two-week period, for example.

Mr Mervin: But I think that's why the legislation provided for a fairly liberal set-aside period, where in fact the tenant has another 10 days after a default order to come back and say, "I didn't know about this, and I want to defend the action." If they do that, in fact they have gotten that extension. To make it in the first instance—I don't know what original policy considerations were discussed when the legislation was passed, but I don't think the five-day period came from the air. I'm sure there was a good discussion about why to do that. Probably it was a standoff in terms of streamlining the proceedings and then making sure that those tenants who came forward and said, "I don't know; this order has been made against me," had a time period where they could come to the board and say that. I think that, and I don't know.

Mr Gravelle: One of the concerns that we've all had, at least I'd like to think we've all had, since the Tenant Protection Act came into effect is the fact that in essence it's the end of rent control, from the point of view of the fact that there's a huge turnover. There's an acknowledgement that every five years there's a 70% turnover, regardless of the situation. One of the concerns that has been expressed is that there now is an incentive, obviously, for the landlord perhaps to remove a tenant for other than legitimate reasons, from the point of view that they can then of course put the rent at whatever level they wish or whatever the market will bear. Do you have any thoughts on that? Have you heard of instances where that has happened? Certainly we think that is the case, and it's a concern we have. Ultimately I think it does signal the end of rent control in that sense.

1020

Mr Mervin: As an adjudicator, I'd certainly always be aware that there is a possibility that landlords would be bringing cases where I'd have to look very carefully at what they were asking for and make sure that it wasn't an application disguised to evict a tenant and raise the rent. But having said that, I would hope that my skills would

allow me, most of the time any way, to determine whether it was a legitimate application.

As I understand the new legislation, while it has lessened rent control, that it's not tied to the unit any more but it's tied to the renter, people who do stay in their apartments still have the protection of rent controls. I understand there's a turnover. I would have thought that the spirit of the legislation, and I think the reason they did that, was to protect the rights of long-term tenants perhaps, people who weren't transient. Quite frankly, I think as an adjudicator I don't have a lot of say in the policy, but I do have a lot of say in—

Mr Gravelle: I wanted to ask you one more question; I don't want my time to run out. I'm a member from northern Ontario, from Thunder Bay-Superior North. One of the concerns that we have up there in terms of the Rental Housing Tribunal is that it's very difficult to get oral hearings, the actual tribunal hearings, in Thunder Bay. There is a tendency, and I think it's all across the north in fact, to do it by electronic hearings, do it by video conferencing. As much as I think probably in the most simple cases that's acceptable, there's a number of examples where I think the tenant needs to have the opportunity to have that hearing.

I guess what I'm asking you is to lobby, if you are approved, and to speak to the tribunal. I think it's important that we give people the opportunity to have oral hearings in a setting in their own community, because I think there's a huge disadvantage—I guess I would call it discriminatory—for those of us who live in the north. They are not given an opportunity. So I'd love your thoughts on whether or not you think that's a legitimate request. Certainly it's something that I have been lobbying for and will continue to lobby for, because I want, obviously, people in our part of the province not to be treated differently simply because of distance.

Mr Mervin: Certainly I think the legislation was intended to give people oral hearings. I'm not that familiar with the procedure in the more northern communities, even though I was born in Kirkland Lake; I haven't been there for a long time.

Mr Gravelle: They tend to want to do electronic hearings. That's what they've been trying to do.

Mr Mervin: As I say, I don't know the policy issues that dictated that. I do think, and I could be wrong, that the legislation would allow for an application for an oral hearing, if the circumstances merited it.

Mr Gravelle: I think it does, but I don't think it happens very often. I think we tend to get turned down for it more often. When I say "we," I'm talking about my constituents. I guess I hope that you'll support the need for an oral hearing, regardless of what part of the province it's from.

Mr Mervin: Certainly I don't make those decisions, but if I was asked for an oral hearing and I thought it was merited, I'm sure that I would make the appropriate requests and do what I could.

The Chair: We move to the third party.

Mr Tony Martin (Sault Ste Marie): Welcome this morning. I've been listening attentively to your answers to the member for Superior North-Thunder Bay. He certainly raises a number of the issues that we have concern about where the change in the act is concerned and also some of the trends we're beginning to see. We've been provided with research here this morning that indicates that in 1998-99 eviction orders were issued without a hearing; people don't show up.

Mr Mervin: Default orders.

Mr Tony Martin: Yes, for the tenant, in 56% of all eviction application cases. That's huge. This rate increased to 61% in the year 2000. I don't know what it is in 2001. We seem to be on an upward tangent here, and that's troubling. You suggest that you would do everything you could to make sure that in fact tenants were being informed about these things and given ample opportunity to appear. A report that was done by the Parkdale Community Legal Services suggests that the time between a notice and attendance requirement to respond be increased from five days, as it is now, to a couple of weeks, I believe.

Mr Mervin: Fourteen days.

Mr Tony Martin: Fourteen days, yes. What would your position be on that? I got a sense from what you answered to the member from Thunder Bay-Superior North, but what could you as an individual on that tribunal do to effect some change so that these troubling trends don't continue?

Mr Mervin: I don't think I have any authority. The time periods that were framed, as I said before, were framed by the legislators and my job as an adjudicator is to work within those time frames.

Having said that, I certainly would make sure that to the best of my ability no default orders were issued where I had any sense at all that the tenant didn't have notice, because in support of those default orders has to be material presented in front of the adjudicator that proper notice was given, either a personal service or an affidavit of service. Outside of an outright lie in those materials on their face, I would make sure I conducted a proper examination to make sure I was satisfied that the tenant was notified of the proceedings before the order was launched.

I also think that as an adjudicator I'm entitled to weigh on a set-aside motion when the person comes before me and says, "I didn't know this order was made against me." On a set-aside motion, I think I have jurisdiction and some discretion to examine what they tell me. If they tell me they didn't get notice, certainly I'm going to allow them to have a hearing. In fact I think what appears to be a five-day period is actually longer. It's at least 15 days, where a person who comes in late and says, "I want to defend this thing and I've got a defence to it and I didn't know about it," gets a chance to be heard.

Mr Tony Martin: Are you aware of some of the trends out there in terms of people being evicted at an historically record high pace, literally hundreds of people a day, families out on the street? Are you aware of that?

Mr Mervin: I haven't read the studies, but I'm aware. I've seen some synopses of what's been done and I am aware there's been an increase in evictions. On the other hand, the economy is changing. I don't think those can be directly attributed to the rental housing tribunal just churning out evictions. I think there are a lot of other reasons why people can't afford to pay their rents that weren't there historically, and it's unfortunate. It's a hard time out there for people. Rents have risen and there are a lot of people out there who used to be able to, who have lost their jobs. I think all those other factors contribute to the rising rate of evictions, not just the process.

Mr Tony Martin: You seem to have some understanding and empathy with that group of people. I look at your resumé and recognize you've spent a lot of your time practising law. In terms of the practise of law, what percentage of your time was spent acting on behalf of people who were not part of the establishment, let's say?

Mr Mervin: Probably 80% over the years. A lot of my clientele were of the criminal element. I had a street practice for a long time. The rest of it was refugees, new Canadians, people coming to Canada making refugee claims who were of modest means.

Mr Tony Martin: That would suggest you would understand some of the issues they're facing.

Mr Mervin: I think I understand some of the issues, not being there myself, but I've done a lot of work with people and I think I have an understanding, to some extent, of the issues they're facing.

1030

Mr Tony Martin: I was in Ottawa in June and we had somebody come before the forum I was presiding over called the People's Parliament on Poverty to say there was a feeling among those who were in positions of authority that in fact ethnic groups weren't falling into poverty at the same rate as the rest of the community. What this woman who came forward suggested was that's because a lot of the refugees, particularly, who are coming into the country, in the Ottawa area are being housed in sort of barrack-type facilities, with several people to a room, several families to a building and that kind of thing. Have you acted on behalf of any of those folks?

Mr Mervin: I haven't heard anything about the barrack types. I know that when I was doing refugee cases there were a lot of people who, after they were released from detention, would move to a house and a lot of the addresses were familiar, but once I'd finished the initial release process, I didn't really deal with their housing situation. So I have to say I'm not really familiar with that.

Mr Tony Martin: There's a statistic that indicates that applications to evict for arrears in rent between 1998, 1999 and 2000 increased by 6%, and that applications to evict for non-arrears reasons, for example, disturbance, the owner or family member wanting to occupy the apartment themselves, those kinds of reasons, increased by 21%, a significant difference.

Mr Mervin: From what time period, though? Was it before the new act?

Mr Tony Martin: That was after the act, between 1998, 1999 and 2000. Any idea why that would be?

Mr Mervin: I would only be guessing. We're talking about applications, not successful applications. In some instances the landlords were testing the waters of the new legislation, I suppose. Part of the mandate of the new tribunal was to give access to the system more quickly and, I would think, more easily. I remember from the limited experience I had in landlord and tenant matters that in the old days the big complaint was how long it took to get to court, how much money it cost to get there and how slowly the process went. Perhaps the legislation has given speedy justice some oomph to make these applications where it wasn't there before, but I'd only be guessing, as I haven't really been in the tribunal and I'd have to be there, I think, to see what the trends were.

The Chair: Mr Martin, you were just getting wound up and I'm afraid your time is up. You were probably going to ask a question on the impact of condominium conversions on the availability of rental housing, but we're out of time. I have to move to the government caucus.

Mr Wood: We will waive our time.

The Chair: They've waived their one minute.

Thank you very much, sir, for being with us, and you may step down.

Mr Mervin: Thank you.

Mr Tony Martin: I think they should ask the question.

The Chair: They have waived their time and I accept exactly what they said. Thank you very much, sir.

Mr Bert Johnson (Perth-Middlesex): Thanks for your suggestion, but if I have a question, I'll ask it.

The Chair: Exactly. Mr Johnson will choose his own questions.

JOHANNE MORISSETTE

Review of intended appointment, selected by the third party: Johanne Morissette, intended appointee as member, Board of Inquiry (Human Rights Code).

The Chair: The next person we are dealing with is an intended appointee as a member of the Board of Inquiry (Human Rights Code), Johanne N. Morissette. Welcome to the committee this morning. As you are aware, you may, should you choose to do so, have an introductory set of remarks and then you'll be questioned by the committee. Welcome.

M^{me} Johanne Morissette: Merci, monsieur le Président. Mesdames et messieurs du comité, je tiens à vous remercier de m'avoir donné cette opportunité de venir ici et de répondre à vos questions afin de confirmer ma nomination au tribunal des droits de la personne.

First and foremost, I should say that I'm a mother of two young men. My eldest son is in second-year university at Ottawa U, in computer engineering, and my youngest son is completing his collegial courses. He wants to follow in his father's footsteps to become a pilot. Of course, that's my primary role.

You have my CV, I'm sure, and you know I'm a lawyer. I was called to the bar of Ontario in 1985 and I've been practising in private practice since then. I have also been a teacher for the Law Society of Upper Canada since 1993 at the bar admission course in Ottawa. I have also successfully completed over 100 hours of training in family mediation and I have been practising as a mediator since 1995.

I started my volunteering career for the community in 1991 when I was first appointed by the then Rae government to the Hawkesbury Police Services Board, where I served for a couple of years and chaired as well. I was then appointed again by the Rae government to the justice of the peace advisory committee in 1993. Then in 1997, I was appointed by the now Harris government to the Commercial Registration Appeals Tribunal as an adjudicator. I was subsequently appointed, again by this government, to Small Claims Court judge and I've been sitting as a judge in Small Claims Court since 1998, and I sit in L'Orignal. This is just for purposes of interest: L'Orignal is the oldest seigneurie in the province of Ontario. Last year, I was appointed to the licensing appeals tribunal, where I sit as an adjudicator; this is for a three-year term.

I guess I could say, ladies and gentlemen, that when it comes to appointments, I perhaps am not old enough to have had an appointment from the Liberal government.

Mr Bruce Crozier (Essex): It will come.

The Chair: Just wait a couple of years.

Interjections.

Ms Morissette: I'm very honoured and excited to have been nominated to the Board of Inquiry, which, as you know, is the human rights tribunal for Ontario. I was approached by the chair of the tribunal to submit my name for appointment and I'm very proud and humbled that he believes in my capacity to adjudicate and mediate in both official languages.

My passion for human rights and my extensive adjudicative experience, together with my experience in mediation and the fact that I'm fluently bilingual, should allow me to serve on the board of inquiry as best I can. I can sincerely say, in conclusion, that after the September 11 events, the preservation of the rule of law in a democratic society is even more profound, and as such we must be vigilant in ensuring the adherence to human rights. I truly welcome the opportunity to serve in the protection of our freedoms in Ontario for Ontarians. I look forward to any of your questions and I will attempt to answer them as best I can.

Mr Tony Martin: Thank you for being here today. It was actually the New Democrat caucus who invited you to attend. The reason we did wasn't that we had any question about your qualifications or capacity, but, as you have referenced yourself, since September 11 we have some rather extraordinary circumstances with which we live. We have different levels of government introducing ever new measures to deal with the threat of terrorism, but there's a fine line we have to protect in terms of people's rights and freedoms and an approach to

a multicultural society that we pride ourselves on and have for many years, which we stand in fear of perhaps losing if we're not careful.

I would want to know a little bit more from you as to where you would come down in your role as a member of this tribunal if a case was brought before you where somebody suggested they were unduly targeted simply because of their culture or where they come from to this country, in our effort as a society to protect ourselves in terms of this whole very difficult, difficult challenge of terrorists.

1040

Ms Morissette: Thank you for this question. You're quite right. The passion for human rights, as I'd indicated in my opening remarks, is fundamental, and we can't lose sight of that.

You asked me how I would come down. My answer would be that it would depend on the evidence that would be before the tribunal. I would of course weigh the evidence, make a finding of fact on the evidence, and then apply the principles of laws under the Human Rights Code to those facts. I would tend to think that I would render a fair and just decision.

Mr Tony Martin: Looking at what we're doing now in Ontario—we've appointed a couple of individuals from a policing, military background to come in and set in place those checks and balances and protections that the present provincial government feels is necessary to protect all of us. You, I would think, given your passion and your obvious interest in this, have read some of the pros and cons, the critique, of that initiative. What would your thoughts be there?

Ms Morissette: I'm sorry. I hate to even suggest that I wouldn't know exactly—you're saying there has been an appointment of—

Mr Tony Martin: Major General Lewis MacKenzie, for example, and the gentleman from the RCMP, Inkster, who have been appointed by this government.

Ms Morissette: What are my thoughts on those appointments?

Mr Tony Martin: Yes, and the mandate they have been given and how you think it will interface with this whole question of human rights, and, if you want to go even further, some comments, by Mr MacKenzie particularly, on the issue of branding people.

Ms Morissette: Obviously, any statements made by these individuals wouldn't affect my personal views once I'm sitting as an adjudicator. As you know, any statements that are made by any member of Parliament or any individual who has been appointed, even the chief commissioner of the Human Rights Commission, would be totally independent. I would certainly say that I wouldn't be influenced or swayed in any way. I would definitely make my determination, while I sit at the tribunal, based on what I have as evidence before me. I don't know if I'm answering your question in what you're looking for, but—

Mr Tony Martin: Maybe I could bring it closer to home. What would your position be on this whole ques-

tion of targeting people because of their ethnic background?

Ms Morissette: There should never be any target of ethnic cultures. That is a discrimination in and of itself. Having said that, then obviously if there has been an infringement of the code because of that, there is a remedy under the code. That's why there is the tribunal to determine if there has been an infringement.

Mr Tony Martin: OK. Just to switch gears a little bit, the Human Rights Commissioner has expressed concerns with regard to another initiative this government has implemented, the proposed education tax credit, that it might in fact discriminate, where certain groups of people might be concerned or give support to the development of schools that would be able to discriminate in terms of perhaps a person's ability to pay, a person's race or colour or whatever. Have you had time to take a look at the concerns expressed by the commissioner on that issue, and what would your opinion be?

Ms Morissette: I guess I could say at the outset that I've not formulated an opinion on this particular issue of the education tax credit per se. In fact, if the commissioner, I believe you said, expressed some concerns, again, those concerns are his, perhaps an important statement of policy or concerns but certainly not binding on the tribunal. I believe that if this is a matter that could come before the tribunal—for instance, there would be a complaint made in the future—I think it would be highly inappropriate of me to even suggest a personal opinion on this if I am to sit and hear this kind of issue before the tribunal. I think it would be inappropriate for me to comment.

Mr Tony Martin: OK. Maybe I could ask you then about the public school system we now have in place. There has been suggestion that it discriminates in terms of one religious group. We've been criticized by the United Nations as not being able to accommodate in some significant way other religious groups in terms of their wanting to educate their children, in our effort to try and protect the public nature of our school systems. Have you given any thought to what your personal position would be on some of those issues and questions?

Ms Morissette: My personal position on the education system? I guess I could say that my children went through the public system and I truly believe that's what we should enhance. There's no doubt about it. We've got to increase the standards. I agree with you that we've got to maintain a very good public system. That would be my personal opinion.

Now, if you're asking me if there would be any infringement of rights, again I can't form an opinion without hearing the evidence, listening to the complainant and of course the respondent's position on this.

Mr Tony Martin: Thank you very much. Those are all my questions.

The Chair: Thank you very much for your questions. We now move to the government caucus.

Mr Garfield Dunlop (Simcoe North): I just have a quick comment and Mr Wood also has a comment.

Ms Morissette, welcome this morning. I just want to make a clarification for Hansard on one of the comments the member for Sault Ste Marie made, Mr Martin. The fact is that on October 1, Premier Harris announced the appointment of former commissioner of the RCMP, Norman Inkster, and Major General Lewis MacKenzie as security advisers to the province of Ontario following the aftermath of September 11. Their role is simply as security advisers. They don't have a role in dealing with any particular ethnic group etc. They're security advisers to the Ministry of the Solicitor General, the Premier and of course to the Ontario Provincial Police and other police forces in the province. I want to make that clarification here.

Ms Morissette: Thank you.

Mr Dunlop: Mr Wood has a comment as well.

Mr Wood: Over the past 40 years or so, we've had a fair number of adjudications pursuant to the Human Rights Code. Do you see your job as to build on the adjudications that have already been done or you see your job as primarily breaking new ground?

Ms Morissette: Oh, good God, I wouldn't attempt to think I would break new ground. Of course, as you know, jurisprudence is the foundation of any adjudicator, and if I'm bound by a higher decision—there are many Supreme Court of Canada decisions that have already been made on many of the Human Rights Code issues. I would have to be bound by it. I'm certainly not here to make waves, I guess the word is, but it's probably not the correct term. I think you suggested it's to break new ground. I'm not entering this position thinking that I want to change the world in human rights. I want to make sure that I maintain and enhance and protect Ontarians in my role as adjudicator when it come to human rights.

Mr Wood: Those are my questions. We will waive the balance of our time.

The Chair: Thank you very much, Mr Wood. We now move to the official opposition.

Mr Crozier: Good morning. You mentioned that your husband's a pilot and your son wants to be. I'm a private pilot, so I'm just interested. Who does he fly for?

Ms Morissette: Air Canada.

Mr Crozier: Great. A 747?

Ms Morissette: The Airbus 340.

1050

Mr Crozier: OK. Now we'll get serious.

I want to touch a bit on mandatory drug testing in the way that it targets individuals, a specific group. In this case, the government, the Minister of Community and Social Services, has announced that in the not too distant future there will be testing of welfare recipients for drug abuse, and they will then be required to undergo treatment. Do you have an opinion on that stance the government has taken?

Ms Morissette: Again, I don't want to express a personal opinion in the sense that—I guess you're asking me, "Prima facie, do you feel this is a discrimination on the basis that it targets a certain group?" We know there has been a lot of jurisprudence on this very issue by

employers in the employment field that has dealt with this issue. If this is a matter that will be coming down the road and it could invariably, in principle, come before the tribunal, I think it would be inappropriate for me to express personal views if I'm called upon to hear this matter. Suffice it to say that I certainly would hear the evidence. Maybe I'm repeating myself, but I think it would be inappropriate to express a personal view on this at this stage.

Mr Crozier: Just so I'm clear, you don't want to express an opinion as to whether this group should be tested or not?

Ms Morissette: I don't want to express an opinion on whether or not that would be discriminatory in and of itself. We'd have to hear the evidence. Within the circumstances of that particular program, we don't know how it's going to be implemented. I'm really not familiar with how it's going to be played out. I presume that once it's before the tribunal—if it ever comes before a tribunal—the tribunal will have to adjudicate appropriately.

Mr Crozier: Well, some of us suggest that it might be fairer if not only that group was targeted but perhaps the same rules apply to members of provincial Parliament, but we'll see how that goes.

Mr Gravelle: Good morning, Ms Morissette. Nice to see you. If I may follow up on Mr Crozier's questions and comments, Mr Norton, the Human Rights Commissioner, has certainly made public statements related to the mandatory drug testing for people on social assistance and indicated that in terms of singling out any group, but particularly the fact that drug and alcohol addiction is considered addiction, it is considered discriminatory. I would think you could comment beyond your personal thoughts. I take it that you're familiar with that, Mr Norton's position.

Ms Morissette: Yes.

Mr Gravelle: I guess I would like your comments based on that. I do appreciate everything you just said, because you're quite right, you've got to see how it comes forward in terms of the tribunal. But in terms of the issue itself, it's a pretty strong one and it's a very sensitive issue. It's one that certainly those of us in the opposition have been strong about, but Mr Norton has as well, I think. I wouldn't mind if you would be willing to expand on that, at least in terms of the comments that have already been made by the Human Rights Commissioner.

Ms Morissette: I will say this with respect to the comments made by the commissioner, Mr Norton. As I said earlier, those comments, statements of policy, are perhaps important but they're definitely non-binding on the tribunal. The tribunal needs to be a separate entity and adjudicate completely independently from the commission. So whatever statements Mr Norton makes is neither here nor there with respect to the tribunal's job when it adjudicates on this particular issue.

You're asking me specifically what I think about the targeting of drug and alcohol recipients. I know there have been many cases that already have been heard on

this issue, and we know that jurisprudence does say that drug and alcohol dependency is a handicap. It's been defined by I believe the Supreme Court of Canada. Therefore there could—I stress “could” or “may”—be a discrimination on the face of it. But again, I can't express if it in fact is going to be discriminatory.

Mr Gravelle: That's fair game. I appreciate that. It's certainly an issue that we expect will make its way to the Board of Inquiry if the government continues to move in that direction, although I think they may be conscious themselves that this is one that is going to be challenged, and for a good reason. I mean, it has been challenged in court and lost. I'm sure you're familiar with that as well.

May I ask you, in a general sense, what are the concerns you have, as a very involved citizen and a very involved person professionally, about discrimination that you see out there? Obviously, the commission had a report related to discrimination against older people, seniors, whatever you want to call people of my age and more, I guess.

Mr Crozier: Be careful.

Mr Gravelle: I've got to be careful. I'm asking about age discrimination, because I think it is an interesting one, in terms of mandatory retirement.

The Chair: Why are you looking at Mr Crozier?

Mr Gravelle: I didn't mean to look at him.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I thought he had become more cautious because I walked in.

Mr Gravelle: No, no. I'm just glad to see you, Lyn, delighted to see you.

That was one of the issues. I'm sure you have some thoughts about that and I'd be curious—

Ms Morissette: I did say at the outset that I wasn't old enough to have been appointed by the Liberal government, so maybe I am sensitive to age. But seriously, in a general sense, discrimination is something that is, for me, so derogatory and impugns my senses. So I am passionate about serving on this tribunal to ensure the adherence to the Human Rights Code in Ontario. I guess I could say that that way.

Now, when it comes to age, we all know there is age discrimination in and of itself by employment. You know, the retirement age is 65. We all know there seems to be a desire for a change in policy in that regard. If that happens, we will deal with it then. I can say that personally I don't think I want to have to work after 65. I'd like to be able to have a retirement.

Mr Gravelle: But you want it to be a choice.

Ms Morissette: That's right, yes. That's my personal view.

Mr Crozier: Chair, is there any time left?

The Chair: Yes, there is. You have three minutes left.

Mr Crozier: One quick question with regard to the commissioner's statement on discrimination as it's applied to welfare recipients and their testing. You said he can make the statements he wants but the tribunal will see the evidence and the facts. My only question is, would the commissioner's statement be part of evidence

that would be presented to a tribunal? I'm not a lawyer, so I'm just curious.

Ms Morissette: The commission is a party to every hearing on human rights. There is always a complainant, the commission, and the respondent. If the commission wishes to make that point in evidence—but it's a statement. It's not evidence per se; it's a statement of policy.

The Chair: Any further questions from the official opposition? If not, thank you very much for being with us.

PERRY MARTIN

Review of intended appointment, selected by the official opposition and third parties: Perry Martin, intended appointee as member, Cancer Care Ontario.

The Chair: Our next intended appointee is Mr Perry Martin, intended appointee as member, Cancer Care Ontario. Mr Martin, you may come forward. As you are aware, you have an opportunity to make an initial statement should you see fit, the time of which is subtracted from the questions from the Progressive Conservative caucus. Subsequent to that, there is questioning from the three parties represented on the committee. Welcome to the committee, sir.

Mr Perry Martin: Thank you, Chair. I have a short statement I prepared that briefly explains my credentials and my motives for having my name go forward for an appointment to the Cancer Care Ontario board.

I want to begin by thanking the committee for taking an interest in the workings of the board at CCO, and specifically the possibility of my being appointed to this board.

Some of you may know or remember me. I worked for 10 years at Queen's Park in a few different capacities. During my years of service in Ontario, I have had many different dealings with Cancer Care Ontario and its similar predecessor organization, the Ontario Cancer Treatment and Research Foundation.

I served as executive assistant to two different health ministers, Jim Wilson and Elizabeth Witmer. While working for Minister Wilson, I was aware of the plans to create Cancer Care Ontario and, with Minister Witmer, I dealt with Cancer Care Ontario on a number of issues after it was up and running in 1997.

1100

In addition to working for two Ministers of Health, I also worked for Premier Harris as a policy adviser and director of caucus relations. In the Premier's office, I also dealt with Cancer Care Ontario on occasion and was asked at times to sort of gently mediate disputes between the ministry and CCO. I'm proud to say that I was involved in the creation and the ongoing support of Cancer Care Ontario. I feel it is an important health care organization that needs the full support of the provincial government, especially now as the incidence of cancer continues to rise and the demands for treatment seem endless.

I left the government in September 2000 and started my own consulting business in November of that year. I

feel endowed with an important trust in having been asked to serve on the board of Cancer Care Ontario. This is not just any board for me; it's a very special one and it's made more special over the years by the people I have had the privilege of knowing who have selflessly given of themselves to advance cancer issues in this province.

One such person was Alan Backley. Alan was a former Deputy Minister of Health in Ontario. He was a strong proponent of the need to create an organization to better manage the cancer care delivery system and to better integrate the myriad services that need to be provided to cancer patients. In 1995, no such organization existed, and Alan was tragically suffering from cancer. So he knew at first hand what it was like to be a cancer patient within a system that offered many different cancer services, but in 1995 a system was lacking and the existing cancer structure could not always simplify the care map for the average patient. So for Alan, as it was for many cancer patients, the cancer treatment system was a bit of a maze, even for a man with such an extensive health background. Alan succumbed to his cancer later in 1995, but before he left us he pleaded for one important reform to a health system he knew more about than any other individual I'd come in contact with. He said to Minister Wilson, "If you do one thing in health care during the government's mandate, please create Cancer Care Ontario and be sure to support it." Well, the government did create it, and they've done an admirable job of supporting CCO and the cancer system.

There's one other individual who served as a personal inspiration to me with respect to cancer care. His name is Ken Shumak and he was president and chief executive officer of Cancer Care Ontario. Ken was a great man who spent most of his life engaged in the health care system caring about and for patients. In 1999, at a point of great volatility in the cancer system, Ken was appointed CEO of Cancer Care Ontario. Two years later, Ken was diagnosed with cancer, in the spring of 2001. It was a cancer he knew he couldn't beat, but it never stopped him from coming to work at CCO and from advancing initiatives that would improve the cancer treatment system for patients. He would not compromise patient care and he never failed to view change in the system from the eyes of the patient.

I sit before you hopeful of a chance to contribute, even in a small way, to the ideas and the great work that has been carried out by great men like Alan Backley and Ken Shumak. It's an important trust, chock full of vital patient care responsibilities that I should not and will not take lightly.

The Chair: Thank you very much. We commence our questioning on this occasion with the Conservative caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time, so we'll move to the Liberal caucus.

Mrs McLeod: Can it still be Perry?

Mr Perry Martin: Absolutely.

Mrs McLeod: I was obviously aware of your background with two Ministers of Health and aware that you were very much involved with the ministries at a time when Cancer Care Ontario was in its formative and developmental stages. That's why I was particularly interested in having a chance to talk to you as a potential appointee to the Cancer Care Ontario board, because, as you know, these are times of significant changes, and I would even say upheaval, in Cancer Care Ontario. I guess I would ask you to tell me, first of all, your sense of the role and the mandate of Cancer Care Ontario.

Mr Perry Martin: I think Cancer Care Ontario's role and mandate needs to be the overseer of the system. Ms McLeod, you would remember the system prior to Cancer Care Ontario. It was one that was characterized as a lot of services in place but with no overarching body to make sure that all the services in every community were integrated in such a way that they could be put in place in a seamless fashion for the patient. It was really an effort to simplify and actually to make the treatment and the outcomes better and more effective. I do think they have a vital role to play in the system. I think integrating services, making them easier for the patient to use, is what the role and mandate should be all about.

Mrs McLeod: And you'd agree that the integration of services for the patient is something that Cancer Care Ontario has achieved to a rather remarkable degree in a short time?

Mr Perry Martin: I think Cancer Care Ontario would admit that they have not been perfect in achieving that integration. There's more work that needs to be done, but I think they should be commended for making all efforts to try to achieve that.

Mrs McLeod: When you say they're an overseer of the system, you don't see them as a deliverer of the cancer care services, then?

Mr Perry Martin: I don't think I said that. They could very well be that.

Mrs McLeod: They are now, right?

Mr Perry Martin: Yes, they are now. We'll wait for Dr Hudson's report as to the ongoing role of Cancer Care Ontario, but obviously being involved in the delivery of cancer services is an important function if you're going to achieve integration, absolutely.

Mrs McLeod: Does it concern you that you're being appointed to the Cancer Care Ontario board at the very time when the government has proposed what is essentially the dissolution of Cancer Care Ontario as we know it?

Mr Perry Martin: I don't think the government has proposed dissolving Cancer Care Ontario. Actually, I think it's a good time to be appointed because I think I could, in a modest way, contribute some knowledge perhaps to the board in its decision-making that might not be there today.

Mrs McLeod: Dr Hudson is clearly intending to bring about the merger in the name of integration, as you have said. The minister has indicated that Cancer Care Ontario would continue to exist but it would continue to exist

in—he didn't use your word "overseeing," but I think it would be an apt word to describe the direction he's giving to it. But it would not be directly responsible on its own for the delivery and management of care of patients. That would be turned over to hospitals. Is that a merger which you support?

Mr Perry Martin: I would say today I would support a better integration of services, and how that's achieved remains to be decided by Dr Hudson.

Mrs McLeod: So you're content. Having been part of the formation of Cancer Care Ontario and having been close to it—and I respect the sincerity of your commitment to it, as you've outlined in your opening statement—you don't have concerns that the role that was developed for Cancer Care Ontario by Jim Wilson and Elizabeth Witmer is being abandoned?

Let me give you specific examples. We've had significant concerns about waiting lists for radiation treatment, obviously. We had not had the same kinds of concerns for surgical cancer waiting lists until this summer, when an independent study was done. Cancer Care Ontario, in their ability to track what was happening to patients, to coordinate the care across the system—granted, not yet fully integrated with hospitals, and I acknowledge that, but certainly coordinated in terms of what Cancer Care Ontario centres deliver across the system—had the ability to identify the fact that we were not meeting reasonable standards for radiation treatment. That role—and this isn't Lyn McLeod saying this; this is Cancer Care Ontario's presentation to the Hudson committee saying this—is going to be lost. Yet you are content to rest with what Dr Hudson recommends, even though Dr Hudson is clearly supportive of this merger?

Mr Perry Martin: I would be shocked, frankly, if Dr Hudson would envision a role for Cancer Care Ontario where they wouldn't be able to track those very vital statistics, obviously. I would think that would be the wrong direction, quite frankly.

Mrs McLeod: Does it concern you that the Hudson committee is only holding—has only held; it's over—one day of public hearings and that day of public hearings was in Toronto, so even though the majority of cancer care centres are regional, there has not been an apparent willingness to go out and listen to the concerns of people in the regions? Would you recommend, on the Cancer Care Ontario board, that the Hudson commission go out and hear regional concerns?

Mr Perry Martin: What I would recommend to Dr Hudson is that he listen very closely to what he's hearing from the people who provide the service in the system. I think that's essential and vital.

Mrs McLeod: It's difficult to do if he's not out there listening to them. Three regional cancer centres have written and asked for a consultation in their regions and it has been refused.

Mr Perry Martin: I can't comment on that. I don't know all the facts around that. But I would say, knowing Dr Hudson—he's a man of great integrity—that I'd be really surprised if he was not seeking the ideas and the

recommendations of people who actually deliver the service in the system province-wide.

Mrs McLeod: Can I ask you about the private clinic? You will be aware, of course, although I think you had left government by this time, that Cancer Care Ontario gave the licence to the private clinic. Can I ask you your sense of why the private clinic has been able to do what Cancer Care Ontario was not able to do?

Mr Perry Martin: I can't speak to the details because I'm not fully conversant with what the after-hours clinic is performing and what Cancer Care Ontario does. I do know that over the years the government tried to get Cancer Care Ontario, and Cancer Care Ontario in turn tried to get the system, to work off-hours, longer hours, to do more with the existing resources in the system. Am I surprised they can do it better? Yes and no. I'm sure, given their arrangements, that they probably don't have the same type of worry or costs that maybe the day system would have.

1110

Mrs McLeod: It's actually more expensive on a per-patient treatment basis.

I'm tapping into the knowledge you had when you were there. When you say they tried to get Cancer Care Ontario to provide after-hours service, what stopped them from doing it?

Mr Perry Martin: They just couldn't get the resources in the system to actually—there wasn't enough incentive to do it longer.

Mrs McLeod: Meaning dollars.

Mr Perry Martin: I'm not sure it came down to dollars. As you know, Mrs McLeod, the government was paying the freight for patients to be re-referred to the US, which is much more costly than having them radiated here in Ontario.

Mrs McLeod: I guess that's why it's a surprising issue, because we know that the staff, the radiation therapists, were prepared to work the over-time hours but weren't approached.

Mr Perry Martin: If they weren't and that wasn't done, then that's really unfortunate.

Mrs McLeod: Is there any more time, Mr Chair?

The Chair: Oh yes.

Mrs McLeod: I think you were probably working with the ministry when the decision was made to change the whole nature of the training of radiation therapists and move it to the Michener Institute and to shut down the program for a year.

Mr Perry Martin: Do you remember the year?

Mrs McLeod: It would have been 1996-97.

Mr Perry Martin: I had left the minister's office in 1996, in March, so yes and no. I think I recall a bit of what you're talking about.

Mrs McLeod: You were in the Premier's office at that point?

Mr Perry Martin: That's right.

Mrs McLeod: I assume that with your health expertise you would still have been directly involved in making health decisions?

Mr Perry Martin: A little bit.

Mrs McLeod: You're not telling me the Premier's office had no involvement in that decision and that you weren't aware that the decision had been made to shut down radiation therapy training.

Mr Perry Martin: The Premier's office would have had some ability to comment on that, absolutely.

Mrs McLeod: Right. So was it recognized that we had a shortage of radiation therapists, and did it seem rather bizarre to the Premier's office that we were going to go for a whole year without training any radiation therapists?

Mr Perry Martin: I would say there was great confusion around what resources were needed at the time. If you would ask people in the ministry at the time, they would tell you that the cancer people were saying they didn't need it, and if you'd asked the cancer people they would say we did need that graduating class. There seems to be a difference of opinion on what was needed at the time, and therefore, as a result—in hindsight, you could say there was a bad planning decision made, but there was no consensus on what was needed at the time, it seems to me.

Mrs McLeod: The providers of cancer care were saying there was a shortage of radiation therapists?

Mr Perry Martin: I don't recall anyone signalling a shortage. That's as candid as I can be. I do recall the ministry at the time feeling that there wasn't a need for that class, and whether they were getting their information from the cancer experts or whether they felt this by themselves, I just don't know the answer to that.

Mrs McLeod: You've sat in the position of staff, both in the Minister of Health's office when Cancer Care Ontario existed and in the Premier's office. What's your view of the reporting responsibility of Cancer Care Ontario in terms of reporting to the ministry and public accountability of Cancer Care Ontario?

Mr Perry Martin: What is my view of that accountability?

Mrs McLeod: Yes. What do you see as being, first of all, the existing directions, and secondly, the appropriate directions?

Mr Perry Martin: I think that's an appropriate accounting mechanism.

Mrs McLeod: To the minister and—

Mr Perry Martin: To the public, absolutely. I do believe that over the course of what I've observed over my time, having been in the minister's office and the Premier's office, I think the relationships between Cancer Care Ontario and the Ministry of Health should improve. We thought we'd taken steps—I say “we”; the Premier and Minister of Health at the time, early in 1999—by bringing a very senior adviser from Cancer Care Ontario inside the ministry—

Mrs McLeod: Les Levin.

Mr Perry Martin: Right, Les Levin, that's correct—to work through some of the barriers in communication that were identified at the time. I think it's had some success. I think it can still improve.

The Chair: I'm afraid, Mrs McLeod, you're out of time. We find in this committee, all of us, that just when it gets interesting, we are out of time. It's always that way for all the three parties in here, I'm sure.

Mr Tony Martin: I don't know, but I think you might agree—you've used the word “confusion”—that there's a certain amount of chaos out there right now where cancer care is concerned and the delivery of cancer care. Would you agree with that?

Mr Perry Martin: Well, I think there's obvious uncertainty because you have Dr Hudson working on a report and not having reported back yet. The system as we know it is not going to radically alter regardless of what Dr Hudson comes back with, because everyone wants to achieve the same outcomes, and that's to make the system more responsive to patients. That has to be Dr Hudson's objective, and I'm sure it is.

Mr Tony Martin: What will your objective be if you get this appointment?

Mr Perry Martin: Absolutely the same thing. It's got to be a system that's designed, intended and delivered for patients.

Mr Tony Martin: Can you be more specific?

Mr Perry Martin: I would hope we can have a system where I, as a patient, can work through the cancer system in a way where I don't have undue stress, be that through waiting times or be that through having to worry about whether or not I have to line up X service or Y service or whether I'm admitted into the cancer clinic or the host hospital. Patients don't want to suffer from those undue stresses while they're battling something that is life-threatening.

Mr Tony Martin: What do you think will be the one or two things the government could do to make that go away?

Mr Perry Martin: I think they took a big step in appointing Alan Hudson to take on a very big task to try to achieve better integration of services.

Mr Tony Martin: No concern whatsoever that perhaps there isn't enough money in the system? That's not a problem, as far as you're concerned?

Mr Perry Martin: If we were sitting around this table and chewing on a \$140-million cancer budget, which it was roughly in 1995, I'd say yes, I'd be worried. But the government has shown over the years that when Cancer Care Ontario requests the money it writes the cheque, and I think the budget has increased by about \$100 million since then. So there's money in the system.

Mr Tony Martin: I beg to differ. You probably know Gerry Loughheed and you probably know Gerry Nori as well, who have worked very hard over a number of years to try and sort some of that out. Certainly if you look at my own community, where we were promised probably two or three years ago that we would have a bunker, we still don't have one and we can't figure out why. They tell us it's because they're going to build a new hospital and they don't want to put the bunker in before the hospital. It just goes around and around. There's the whole question of re-referral and all that hoopla in

northern Ontario that created all kinds of stress all on its own for people looking for cancer care, and Gerry Nori himself suggesting a comprehensive grant program that covers the gamut of medical services. In northern Ontario particularly it's really difficult for us to access and get to the kinds of services we need. It seems obvious to us that in fact there isn't enough money in the system to do all the things that are already identified as necessary: approvals on the table for hospitals that would have attached to them cancer bunkers that we can't get a green light on.

Mr Perry Martin: I think there are a number of facilities in the province that are suffering the same frustrations. The approvals need to come quicker in terms of the cancer bunkers and the cancer centres, but in some fairness, you're also dealing with a parallel exercise of hospital restructuring, where obviously you want to align your services appropriately. You're dealing with massive capital projects and these projects take some time to get approved fully. Unfortunately, caught inside that are the cancer centres and the cancer bunkers. Obviously, it would be ideal if there was a way to fast-track those, because it would create some relief in the system. But I think you'd admit that it's important, obviously, when you're reconstructing hospitals and facilities to get it done properly.

Mr Tony Martin: The group you didn't mention in terms of people who are frustrated of course are the patients. While we wait for government to decide that it has the money that's necessary for these new major capital investments, people are dying and not being able to get the care they need, and even if they don't die, living under some tremendous degree of stress because they don't know from one day to the next whether they're going to be able to access the service they need.

1120

My concern in your appointment is that we're bringing yet somebody else in from the Premier's office, however indirectly, who's there simply to do damage control as opposed to actually making some strong suggestion, as Mr Lougheed and Mr Nori have done, that we need to take this thing seriously, put some money into it and get it done. Is that a concern that I should spend any time with?

Mr Perry Martin: I wouldn't be concerned about that, Mr Martin. Over my years of experience inside government, in opposition, and since I've left government trying to assist Cancer Care Ontario, again, personally I have a great loyalty to Cancer Care Ontario. I feel it's an extraordinarily worthwhile organization that, as I said in my opening remarks, I want to advocate strongly on behalf of on the board. But I think it's also important that the communication needs to be improved with Cancer Care Ontario and the ministry, and we need to make the best decisions possible for patients.

I'd also like, if I could, to come back to your earlier comment with regard to the chaos and confusion in the system and say that I think it's quite heartening that we in Ontario and we in northern Ontario—I shouldn't say

"we," but northern Ontarians are actually taking patients from Manitoba. There's a system that's got some chaos and confusion and we're there to help them, because our cancer system, quite frankly is in better shape.

Mr Tony Martin: So if it becomes obvious to you, in getting this appointment, that what's required is some more resolve on the part of government and more commitment in terms of resources to get this thing up and running—because I obviously disagree with you re the state of cancer care in the province. I'm not aware—Mrs McLeod may be—of the Manitoba transfer of patients.

Mrs McLeod: Thunder Bay has agreed to take patients from Manitoba.

Mr Tony Martin: Well, that's certainly good news if it indicates that we have that excess capacity in Thunder Bay, but in Sault Ste Marie we sit and wait for our bunker. It was promised two or three years ago. People have to travel who shouldn't need to. If it becomes obvious that more resolve and more resources are needed, and you're on that committee, will you be willing to make that statement loud and clear?

Mr Perry Martin: Improving the system is exactly what I would like to do if fortunate enough to be appointed to the board. Absolutely. I would hope too that if you feel there are unnecessary delays and there are barriers, you might, if I'm appointed, pick up the phone and call me and see if we could talk about how I could help advance the needs of patients in Sault Ste Marie.

Mr Tony Martin: Those are all my questions.

The Chair: Thank you kindly. We move to the government caucus.

Mr Wood: We've already waived our time.

The Chair: They've waived their time. That's right. It's nice of you to do that, to remind me of that.

Mr Wood: I'm here to help.

The Chair: Thank you very much, sir, for being with us today. You may step down.

BEN VEEL

Review of intended appointment, selected by the official opposition party: Ben Veel, intended appointee as member, Elgin Group Police Services Board.

The Chair: Our next intended appointee is Ben Veel, intended appointee as member, Elgin Group Police Services Board. Welcome to the committee, Mr Veel. As you know, you have an opportunity to make an initial statement, should you choose to do so. That's entirely optional, up to you. Subsequent to that, members of the committee will direct questions to you. Welcome again.

Mr Ben Veel: Thank you, Mr Bradley.

Ladies and gentlemen, my name is Ben Veel. I immigrated with my parents from Holland in 1959; father, mother and eight kids. We have lived most of our life in London and recently moved to Port Stanley, about three years ago. I have been married to my wife, Rita, for a lot of years and have two children.

I have been active in service in the community since 1965 at different levels, right from being chair of the

recreation association to PTA, up to president in all of them, and eventually community centre board.

I have been a Western Fair board member, one of the most successful fair boards in North America, for about nine years. From 1979 till one year ago, I was a member of the London and District Construction Association and ended up as vice-president.

I am past and founding president of the Mechanical Trades Association of London. I am presently president of VMG Certification, which is a medical gas certification company that certifies medical gas systems in hospitals and medical facilities. I am past chair of the city of London council planning committee. I am past chair of the community and protective services committee. I am also past chair of the tiered response subcommittee, which I requested city council for, a subcommittee to investigate the possibility of better co-operation between fire, police and ambulance. Even though it had a rocky start, I can tell you in the end we made some significant changes and the co-operation is much improved in the city of London as of today.

I was elected as the mayor of the town of Westminster and I was elected a city councillor in London from 1993 till last fall, when I retired. "Retired" means I didn't run; I didn't not get re-elected.

I am a past member of the agricultural advisory committee and a past member of the city-county liaison committee. The reason for these last two committees was something brought about through Bill 75 that we, as a council in Westminster and the surrounding area, requested and asked for. I can tell you, that's been a very successful committee, with much better co-operation between the city of London and the county.

For 10 years I was a member of the board of directors of the children's aid society, a very challenging position, as you can probably understand. I'm also a member of the Canadian Healthcare Engineering Society, commonly referred to as CHES, and I'm the founding president of the London Lambeth Rotary Club. I enjoy sailing. I've played hockey for many years. I was a level IV OMHA referee. I've coached kids.

I'd like to tell you that because of my business experience and political experience and my demonstrated interest in improving the services in our province and our country, I feel I would be an asset to the new Elgin Group Police Services Board. Thank you very much.

The Chair: Thank you very much, sir. We start this time with the official opposition, and it's going to be Mr Gravelle again.

Mr Gravelle: Yes, it is. Good morning, Mr Veel.

Mr Veel: Good morning, Mr Gravelle.

Mr Gravelle: I'm not sure you mentioned how this appointment came forward for you. Did you seek this out or was it offered to you?

Mr Veel: Actually, I did seek it out. Being a politician, I think you know, and being active in community, which I'm sure you also have been, when you retire from certain things you take a little time off and then you look for different avenues of service. We had moved to a

home on the beach in Port Stanley some time ago. We have been active there for the last three or four years in the community itself. When I found out about this appointment being available, I in fact approached Mr Wood's office to find out the information.

Mr Gravelle: Mr Gerretsen is going to take over, then I'll come back.

Mr John Gerretsen (Kingston and the Islands): Mr Veel, I notice that you were a councillor for some eight years and that before that you were mayor of the town of Westminster.

Mr Veel: Yes.

Mr Gerretsen: Do you have any opinions as to whether or not councils should be controlling the police budgets, or should it be controlled by the board? I think it's still that three members out of the five are appointed, are they not, by the province, or two out of five?

Mr Veel: That number just changed, so I'm not sure what the ratio is today.

Mr Gerretsen: But as a former councillor, don't you agree with me that councils should be controlling the police budget in its entirety and that maybe the province should no longer appoint individuals to this? Speak freely.

Mr Veel: Yes, I have a tendency to do that in time. Mr Gerretsen, that's a loaded question.

Mr Gerretsen: Congratulations. You're the first person in these premises who's ever pronounced my name correctly.

Mr Veel: I detect you're probably of Dutch background also.

Mr Gerretsen: Thank you, yes.

Mr Johnson: We won't hold that against you.

Mr Veel: We still enjoy having fun made of our race.

Mr Gerretsen, it's a loaded question. I was the chair of the community and protective services committee of London, at which point I requested that we institute that particular little subcommittee. As I'm sure you are aware, basically when the police chief comes and does his dog-and-pony show before council, between 96% and 98% of that particular budget is wages, so we have very, very little control over that. In terms of the rest of the rules and regulations, they're laid down by the province. As a council we can request certain things. We can have some input on building, we can have some input on improvements and we can request and have meetings about what the community is looking for. I think those are really the most input we can have.

1130

In this particular board, of course, it is done on a contract through the OPP, so you probably have even less input in that. But the reality is that in London, we were fortunate to have had good police chiefs. In fact, right after annexation, I requested that Mr Fantino come to our community, the annexed community. After the meeting, to which, out of a community of 3,500 people, 180 showed up, when he left and stood up to thank the people, he said that was the first time he'd ever come into a community where the people actually thanked him for

being more forceful in enforcing the law. He was quite pleased.

Mr Gerretsen: If I could just have a very quick response to this, then, do you feel it is preferable to have councils control the entire police budget and have the final say on it or not?

Mr Veel: No, I think that's a dangerous balancing act. Council is a political group. I think you need both: you need the protection from the province and you need the input from council as to what the community wants. I think we need both. I think policing is something you can't change with the whims of the day. I think you need to be very careful.

Mr Gerretsen: Surely you have greater confidence in the locally elected people than that. You were one of them for so many years. They wouldn't do anything to hurt their community, surely. No comment?

Mr Gravelle: Mr Veel, where I was going in terms of my questioning—you mentioned you sought out the role and obviously spoke to somebody in terms of getting the appointment. How did that process go forward?

Mr Veel: It went forward through Mr Wood's executive assistant, Mr Dillon, and Rudy Hernandi, who did run his office in London. Actually, it was two or three years ago, I think, when I first thought about this and what I would do after when I made the decision not to run for politics again, and I asked for what was available. I was a little shocked to find out everything from the liquor board to the arts council. The number of appointments available was quite staggering. What I tried to look for was something that interested me and something I think I could have some input on and that I feel the community is interested in. The one thing I found out, being the mayor of our town, was that the community felt they were underpoliced. One of the reasons the community was actually, regardless of what the media said, pro-annexation, one of the key things, was that they wanted better police and fire protection.

Mr Gravelle: You mentioned Mr Wood. Are you a member of a political party?

Mr Veel: Yes, I am.

Mr Gravelle: May I ask you what party that is?

Mr Veel: Provincial or federal?

Mr Gravelle: Provincial would be interesting.

Mr Veel: Provincial, the Conservatives.

Mr Gravelle: I see. And federally?

Mr Veel: Federal, I am a wandering soul today, so that probably explains to you my affiliations, both Conservative and Alliance.

Mr Gravelle: Have you worked on campaigns then?

Mr Veel: Oh yes, definitely.

Mr Gravelle: Mr Wood's campaign?

Mr Veel: Too small. It would be more Mr Mazzilli's.

Mr Gravelle: More Mr Mazzilli's.

Mr Gerretsen: That changes everything.

Mr Gravelle: That's interesting. It's always interesting to find out what political affiliation you are. It was Mr Wood who helped you get the appointment, which is very nice of Mr Wood.

Mr Gerretsen: No, it was his executive assistant. Mr Wood wasn't involved personally.

Mr Gravelle: I'm sure he wasn't.

In terms of the fact that the Elgin Group has gone into, I think, a five-year contract with the OPP, that does change the relationship the police services board has. The police services board, when it's working with an organization that's under the control of the OPP, doesn't have as much of an input into that. Does that concern you?

Mr Veel: Yes, it does, but to a large degree—really, in my business and in my political career, I care more about the individuals I'm dealing with than the business, because in the end it is the individual that you have contact and a relationship with. I think in this case it would be very prudent for us, if we can have any input on that, to make sure we have good leadership, but more than that, that we have good coverage. That's going to be controlled by budget and that contract. To some degree, yes, that would concern me and I would want to look at that, and I'd also want to find out what the community is looking for in terms of its—

Mr Gravelle: That brings me back to Mr Gerretsen's point too, that with the fact you have less control over it, it's whether the appointments should all be basically from the municipal side in terms of the role you're playing.

Mr Veel: I think we need both for balance. The reason for that is that we shouldn't be subjected to the whims of whatever the local issue is today. Sometimes we can react too quickly; sometimes we react too slowly. So we need balance and we need that safety valve that if someone is being stupid, there is someone else there who says, "Hey," who looks at it from a more distant point of view and says, "Hold the phone a minute."

Mr Gravelle: To some degree it appears that you only can work on the basis of the information you receive, but you don't have as much ability to get information, do you, in terms of the fact that you don't have the same powers when it's under contract to the OPP.

Mr Veel: Having been a politician, having been a mayor and having been a councillor, and having been involved with our own police force through the community and protective services committee, I can tell you that the information you will be given will be very limited. Unless you can get the rest of your council to support you and demand it, you still may not get it, but you may get a little more. It's very difficult to get 11 members of a 19-member council to support getting more information. Sometimes they prefer not to know; it's safer.

Mr Gravelle: But you do acknowledge that it could be a problem getting the information you need, because it isn't part of what you automatically would get as a member of the police services board now.

Mr Veel: As a member of the police services board, budget obviously in this case is somewhat out because of the contracting-out option. I think what you want to do is establish good personal relationships and be very professional about the information you want, but because of the mere Police Services Act, basically you're controlled by how much information you'll be given.

I can tell you, though, that in London we very much worked—when I first started this process, it was terrible. We had a facilitator who said that the police service was first, the fire was second and the ambulance was third and that really the taxpayer was fourth. When I made the terrible suggestion that maybe the taxpayer should be first, all three of them said no. By the end of the process, I think they agreed. Right now, for example, in London they have agreed that the next time they buy CAT equipment it will be done together so it's compatible; the next time they buy radio equipment, it will be compatible, which is not the case today, so they can do it together and tie in together. I can also tell you that through the efforts of that committee, we shaved a full 50 seconds to a minute off response time for cardiac arrest. I don't know if you're familiar with what cardiac arrest is—I'm sure you are—but 50 seconds is a lifetime. We're going to improve that more, so we're now into using the training facilities. If we can make better use of the facilities we have by coordinating the services and working together, I think that is the power we have in our community, and letting the police force know what it is the community looks for.

Mr Gravelle: Do you—

The Chair: You won't be able to ask that question because you're out of time, sir. I hate to tell you that, but you are out of time.

As politicians, our definition of cardiac arrest is when the first 10 polls come in and they're unfavourable. That's cardiac arrest for us.

Anyway, Mr Martin now has up to 10 minutes.

Mr Tony Martin: You're aware, as is everybody today, that we live in a different world after September 11. Certainly issues of security and protection, safety and policing become ever more important. You're being appointed, conceivably, to a board that's going to oversee the operation of policing in a rather significant community in our province. How do you think all of that will affect the role of police services in the province?

Mr Veel: Police services or the police services board?

Mr Martin: Both, as they work together.

Mr Veel: Like I said, the board should be an integrated team and you have to develop mutual respect as a board and work together with the different stakeholders. I am very concerned, and that's one of the reasons I asked for this appointment. My wife and I celebrated our 39th wedding anniversary just this month and we went to the United States for five days. When I came back across the border at 3 o'clock in the morning, across the bridge in Windsor, I was asked two questions. "How long have you been away?" The answer was "Five days." The next question was, "What are you bringing back?" "A couple of T-shirts for the kids." I was never asked what nationality I was. I was never asked for my passport. I was never asked anything else and was told to go on. That concerns me greatly.

1140

I don't want to be harassed. However, I want some basic security in place to protect me and the rest of our

community. Yes, that concerns me greatly and I am very much for improving the level of security we have in this country, especially at its extended borders. But that, I don't think, is our responsibility.

Mr Tony Martin: It's not. And I would suggest to you, living in a border community, Sault Ste Marie, that it does border in some degree. The complaint is that somehow Canada's borders are porous and easily accessed when the reality is the opposite. When we go across into the States usually it's one or two questions. It's coming back into Canada that we get "harassed," that we're kept waiting for a long time, and sometimes we're pulled over and they go through our vehicle and that kind of thing.

The brings me to the point I'm trying to make here. Continuing to do the policing we've always done and living up to the responsibility that a police services board has to oversee that and the new anxiety that's out there, where do you think the balance lies in terms of continuing—for example, the provincial government has now hired on contract Mr MacKenzie and Mr Inkster to oversee—we're not quite sure exactly what it's going to be or how it's going to work or what the mandate is, but I would guess at some point it will influence your work. How do you see that?

Mr Veel: First of all, I didn't worry about it, but most politicians worry about what the latest poll is, as was stated earlier by your Chair. However, having said that, I think the reality today is that Canadians have gone as a whole from saying, "Oh, things like that can never happen in Canada," to "Maybe they can happen." Mr Gerretsen and I come from a country where, before the Second World War, they thought they could bury their heads in the sand and, "We are neutral and no one's going to attack us." We found out they did.

In Canada, when I hear on the radio that we don't need to worry about the anthrax scare because no one's going to attack Canada, that's of great concern. The public at large recognizes today that we need to do a better job, that we need to improve on our refugee system of letting people into the country and how we control that, that we need to do a better job of that. Not make it, as I've heard some people say, that we're going to be the Gestapo, but be reasonable. I think people are now ready to accept that. It's an exciting time to be on a police services board, because now, when you're trying to institute some of these safeguards, when the police and law enforcement agencies are, the public will be accepting of them, where I'm not sure before September 11 they would have been as accepting.

Mr Tony Martin: So you're saying to me, then, that Mr MacKenzie and Mr Inkster doing their job and perhaps coming in and giving advice and influencing the operation of your police service, answerable to nobody other than the Premier, I guess, and his cabinet, is OK as far as you're concerned?

Mr Veel: In business, when I want a job done, I hire a foreman or a superintendent to do that job. If I want to go run the job myself, I shouldn't hire him. I think these are

very qualified people and I look forward to their input because I think it will be very valuable.

Should it be questioned? I don't think they have carte blanche. The government still has to approve it and the government has to agree. They probably, from my observation, appointed a couple of fairly competent people. I think these people are very competent in their field. If you want the job done, hire an expert, and these people are experts in their field.

Mr Tony Martin: They very well may be, and may do a good job. The concern I have is that we've evolved in this province—we are a democracy, after all. We're not a business or a company or a multinational corporation. We're a democracy where people have a say and like to feel that they're protected, and protected as well from those who would protect them, so we don't get, as you referenced a few minutes ago, a Gestapo-type operation. This is a break, as far as I'm concerned, away from an evolution that was happening where we had civilian oversight of policing in the province to now people acting as if they have divine right, perhaps, to go in and do things on behalf of the people, when they don't answer to a police services board or a police commission at the provincial level.

Mr Johnson: On a point of order, Mr Chairman: I have a great problem with the language of the member for Sault Ste Marie, particularly from the ethnic background of this witness. Where he and his family grew up and came from, the word "Gestapo," when compared, is an offence and an affront to me.

Mr Tony Martin: I thought you had used that term earlier in your deputation.

Mr Veel: I only used it in terms of what people in Canada were concerned about with the new legislation coming in. But, you know, Mr Martin, democracy is something that, as long as you get what you want, you agree with it, and if you don't, you don't agree with it. We need to be very careful with that. We also need to protect ourselves. Democracy is something that the majority of the people want, not some of the people.

Mr Tony Martin: There's been an issue raised, certainly referred to by Mr MacKenzie, and in looking at some of the comments by other policing officials, the question of racial profiling. What's your position on that?

Mr Veel: First of all, I think multiculturalism has been a terrible thing for this country. It should be secondary to being a Canadian, not primary. I think it has really hurt this country in doing exactly what it was supposed not to do. I think most immigrants you will speak to, whether from the Middle East or other places, will tell you that. It is, I find, the people born in Canada who will say, "But, my gosh, you're an immigrant. How can you feel like that?" Well, we want to be Canadians. We are Canadians. I grew up here. My complete adult life I've lived here. This is my land, this is my country.

Chief Fantino did a report one time identifying which groups committed the crimes. The one he identified, I think, was the Jamaican community, and everybody went crazy. Then some of the Moroccan community said,

"Hey, we're glad he did that, because at least he identified a section of the community, whatever that may or may not be." I think I agree with that. We've been probably a little bit too liberal in this country—and I use that word with respect.

Mr Gerretsen: You don't mean that in the political sense, do you?

Mr Veel: No, I don't. We have been a little bit too liberal at times and I think now that's catching up with us, which shows us we probably need to tighten up a little bit, because in some cases the crooks have better weapons than us, the crooks have better facilities than us, the crooks have better communications than us. People like Mr Inkster will hopefully be able to help and improve the situation for our protection, because that's what's I'm ultimately looking for, that we as Canadians are protected.

Mr Tony Martin: What's your position on racial profiling?

Mr Veel: In what context are you asking that question?

Mr Tony Martin: The one you just mentioned, the one you just spent five minutes talking to me about.

Mr Veel: First of all, I don't think it was five minutes; second of all, I don't think it's racial profiling. I think what Mr Fantino's report was doing was profiling crime areas, if I'm not mistaken.

Mr Tony Martin: And he identified certain groups of people who more readily fit—

Mr Veel: He did, not me.

Mr Tony Martin: So what's your position on that? You think that was OK. You said what he did was fine and that in the circumstance we're in now, it's OK to target certain ethnic groups as—

Mr Veel: Boy, you're putting words in mouth, aren't you? I don't think that's what I said at all.

Mr Tony Martin: OK. I'm asking you a question, then, and if you'd answer it, I'd appreciate it. What do you think of racial profiling?

Mr Veel: I think you should tell me in what context you want to do racial profiling. If you're saying, "Are you this or are you that?" what are you using it for? I think racial profiling probably in principle is—I don't know what you're asking me and I don't know what you're using that for, what you want to use it for. For what cause do you want to use profiling? For crime? For political?

Mr Tony Martin: I thought I was pretty clear. I started out my line of questioning by saying that we live in a different world after September 11—

Mr Veel: Yes, we do.

Mr Tony Martin: —and talked about the concern I had that we find balance in our approach to policing and security services. You answered my questions rather abundantly and in that context, of the moment we find ourselves in now, trying to do all we can to protect ourselves from the very real threat of terrorism, I'm asking you, is it appropriate that police services or people like

Mr MacKenzie and Inkster, as they do their job on behalf of the Premier, get into the area of racial profiling?

1150

Mr Veel: I don't think I'm qualified to answer that. I can tell you, from my own personal perspective, the office I have my office in has a number of, for example, Muslim people working in it. I can tell you, in our office, and I've sort of observed, they are as upset about things as we are. It was interesting, because some of the more enlightened people in our office felt that—now that landed immigrants have to have an identification card with their picture on it, these Muslim people are actually quite pleased about that, because they do not want to be identified, first of all, as refugees, and second, to carry an additional piece of identification that identifies them as legitimate immigrants they consider a benefit.

I'm not sure where you were leading with that and I'm not sure how to answer it, because there's 10,000 different—if it's used in a negative sense, of course I'm against it.

The Chair: That was your last question, Mr Martin. I now go to the government caucus.

Mr Dunlop: Thank you very much, Mr Veel. I, as a member of our caucus, will be supporting your nomination to this committee. I want to congratulate you on all the activities you've been involved in as member of the community in the London area since you've arrived in this country. It's amazing to see some of the associations you belong to, your work experience in construction. I support you, because I come from a construction background myself.

Mr Veel: You're one of us.

Mr Dunlop: Yes. And your municipal experience. I was curious, because the police services board has a lot to do with municipalities. You went through an annexation in 1991-92, and the town of Westminster was actually done away with at that time and became a part of the city of London. Was that under the NDP government at that time?

Mr Veel: Yes it was: Mr David Cooke.

Mr Dunlop: I find that strange. Yesterday we had all kinds of petitions against the town of Kawartha Lakes. And now we're hearing—I guess it changes in eight or nine years. I'm surprised, really surprised at that, because I think Mr Martin read one of those petitions yesterday opposing annexation. It's amazing to see that. Did it work out OK?

Mr Veel: We recognized that we didn't have any choice in the matter.

Mr Dunlop: Oh, I see.

Mr Veel: What some of us recognized, which is one of the reasons I ran, was that when there's a Mack truck coming down the road and it's going to hit you, you'd better get out of the way. We protected ourselves and tried to get into Bill 75 the things that were important to our community. One of the things we protected was our reserve fund of \$1 million for policing, which we knew we had to provide; and by the way, I can assure you it went to the city of London. I can also tell you that city

council, right after annexation, tried to renege on almost 75% of the promises—not promises, the law—in Bill 75. At one point, Mayor Gosnell stated, "It's starting to sound like Councillor Veel has a direct pipeline into the minister's office." Yes, I did, because every time they tried to renege on a promise made to us, I did call the minister and say, "Bill 75 is here."

Mr Dunlop: I just wanted to clarify that, because I was wondering if a guy named Rae was on that Mack truck.

Mr Veel: I'll tell you, Mr David Cooke, who was the Minister of Municipal Affairs—I've learned to have a tremendous amount of respect for his ability and his backing up people in very contentious situations. I can tell you, he never left me hanging dry, when he could have. I still appreciate that very much.

Mr Dunlop: Are you pleased now, as a member of that community, that that annexation worked?

Mr Veel: Contrary to the media, most people in our community wanted to be annexed. The media still don't want to accept that fact, but I don't know why I kept getting elected by bigger majorities every time.

Mr Dunlop: My final comment is that I appreciate your comments on Norman Inkster and Major General Lewis MacKenzie. We think it's a good move on behalf of the provincial government to appoint these individuals. We think it's showing leadership. We hope you feel that, as a future member of a police services board, potentially. I appreciate your presence here today.

The Chair: No further questions?

Mr Wood: We will waive the balance of our time.

Mr Gerretsen: Will you yield the balance of your time to the opposition so we can ask him—

The Chair: I can ask them, if you're requesting that, but I don't see—

Mr Wood: Mr Gerretsen is obviously disturbed.

Mr Gerretsen: No. I'd like to ask this very eminent gentleman some more questions.

Mr Veel: I'll be happy to meet you in the hallway.

Mr Gravelle: Take it outside.

Mr Veel: No, no. That has a different connotation.

The Chair: Thank you very much, Mr Veel.

We will now proceed with the committee business, which will be the dealing with the appointments. The first one was Alan B. Mervin, intended appointee as member, Ontario Rental Housing Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. All in favour? Opposed? Motion carried.

The second appointee was Johanne N. Morissette, intended appointee as member, Board of Inquiry (Human Rights Code).

Mr Wood: I move concurrence.

The Chair: Concurrence is moved by Mr Wood. Any discussion? All in favour? Opposed? Motion carried.

The third was Mr Perry Martin, intended appointee as member, Cancer Care Ontario.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved by Mr Wood. Discussion?

Mr Tony Martin: I'll be voting against this appointment in that the chaos and confusion we find in the cancer care delivery system in Ontario has been generated and driven and pushed by this government in its effort to try to save dollars so they can make good on their tax break promises, as opposed to making sure we have the best of health care in a timely fashion, accessible, close to home, for every citizen who calls Ontario home. Appointing somebody who comes out of that system, who is so obviously directly connected with the Premier's office, I think is an effort at some damage control. We know that the kind of damage control this government does and is capable of doing usually ends up in more damage, so I will not be supporting this appointment.

Mr Gravelle: I wanted to request a recorded vote, but I wanted to ask if Ms McLeod would respond on behalf of our caucus.

Mrs McLeod: I've been around long enough not to be so naive as to think that many of the appointments made to government agencies are not partisan appointments, but I do think that the very direct and most recent connection of Mr Martin to the government on political staff would really call into question his appointment to what is supposedly an independent board at the best of times.

I guess I was hoping, in our questioning today, that Mr Martin, who was with the Minister of Health at the time that Cancer Care Ontario was established, would be prepared to be a strong advocate for a continued role of an independent Cancer Care Ontario board. I was rather dismayed to find that Mr Martin is clearly supportive of the government direction and the direction which Mr Hudson has been appointed to carry out, and that's the merger of Cancer Care Ontario. Given our belief that Cancer Care Ontario should remain an independent board, we could not support the appointment of someone who is so clearly committed to seeing Cancer Care Ontario, as we know it, virtually dissolved.

The Chair: Any other comments from anyone on the committee? If not, Mr Gravelle has requested a recorded vote. I'll put the motion to the committee for its consideration.

Ayes

Dunlop, Gill, Johnson, Wood.

Nays

Gerretsen, Gravelle, Martin.

The Chair: The motion is carried. We have now the final one, Mr Ben Veel, intended appointee as member, Elgin Group Police Services Board.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved. Discussion?

Mr Gerretsen: I'm sorry I wasn't here for the entire discussion relating to this gentleman. Is the Elgin Group a private security organization, or is it actually part of a police commission? Its title is so similar to many of the private protective agencies that are around right now. Could maybe Mr Wood, since he knows so much about this particular appointee and perhaps this group, give us some answer to that if he can?

Mr Wood: That's the name chosen by the people of the county of Elgin for the service area.

Mr Gerretsen: And who are we to argue with that?

Mr Tony Martin: I can't express strongly enough my very real concern re this appointment, particularly when you consider his views on multiculturalism, which has become, in so many ways, a branding in this country that holds up proudly and has become a magnet that attracts so many people who come and contribute in so many significant, important and positive ways to the fabric that has become Canada and Ontario. With the fact that he wouldn't answer the question from me re his position on racial profiling and the little dance we did there together around that, I just cannot support this appointment.

Mr Johnson: I just wanted to say that I had a lot of respect for the dance and I sided with the partner from the community of Elgin.

The Chair: Any further comments from anyone on the committee?

Mr Tony Martin: A recorded vote.

The Chair: You want a recorded vote. I've got no objection; that has to be the way it is.

Ayes

Dunlop, Gerretsen, Gill, Johnson, Wood.

Nays

Gravelle, Martin.

The Chair: The motion's carried.

That completes the consideration of the individuals. Is there any further business for the committee? If not, I'll ask for a motion of adjournment.

Mr Wood: So moved.

The Chair: All in favour? Opposed? Carried.

The committee adjourned at 1202.

CONTENTS

Wednesday 24 October 2001

Subcommittee reports	A-207
Intended appointments	A-207
Mr Alan Mervin	A-207
Ms Johanne Morissette.....	A-211
Mr Perry Martin.....	A-214
Mr Ben Veel	A-218

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Bruce Crozier (Essex L)

Mr Garfield Dunlop (Simcoe North / -Nord PC)

Mr John Gerretsen (Kingston and the Islands / Kingston et les îles L)

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale PC)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA2 ON
XC 19
-652

Government
Publications



A-15

A-15

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 7 November 2001

Journal des débats (Hansard)

Mercredi 7 novembre 2001

**Standing committee on
government agencies**

Subcommittee reports

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Rapports du sous-comité

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 7 November 2001

Mercredi 7 novembre 2001

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): We'll call the meeting to order. The first item of business is the report of the subcommittee on committee business dated Thursday, October 25, 2001.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? All in favour? Opposed? Carried.

The second is the report of the subcommittee on committee business dated Thursday, November 1, 2001.

Mr Wood: I move its adoption.

The Chair: Its adoption has been moved by Mr Wood. Any discussion? All in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

GLEN CAMELFORD

Review of intended appointment, selected by official opposition party: Glen Camelford, intended appointee as member, Council of the Registered Insurance Brokers of Ontario, complaints committee and discipline committee.

The Chair: Our first appointment to be reviewed today is Mr Glen R. Camelford, intended appointee as member, Council of the Registered Insurance Brokers of Ontario, complaints committee and discipline committee.

You may come forward, Mr Camelford. I presume you have been briefed to know that if you choose to do so—it's entirely up to you—you may make an initial statement to the committee and then representatives of each of the three parties represented on the committee will have an opportunity to address questions to you. Welcome to the committee, sir.

Mr Glen Camelford: Thank you for inviting me to attend this examination to consider my appointment as a lay member to the Council of the Registered Insurance Brokers of Ontario.

My opening statement: I believe that the combination of my professional experience plus my formal training and education makes me a credible candidate for the appointment as a lay member of the Council of the Registered Insurance Brokers of Ontario.

During my career as a financial professional, I have held a number of progressively responsible positions in industry, moving through from controller to director of finance and secretary-treasurer in industries of equipment fabrication and paper conversion. My responsibilities as a financial manager have included, but are not limited to, the management of issues such as project management, systems implementations, change management and business systems needs evaluations, in addition to all of the normal financial and fiduciary responsibilities that go with that type of position.

My professional status is that of a certified management accountant, and through the years I have maintained a practice of continuous learning. In addition to the numerous courses that I have taken, ranging anywhere from team building, process evaluation, project management and on and on, I have recently gone on with my formal training and have earned a master's of business administration through Athabasca University and graduated in the spring of the year 2000, probably giving new meaning to the word "mature" student.

Since then I have started my own business as a management consultant with a focus on process evaluation and improvement and business performance measurement within private sector manufacturing and distribution operations.

I am married with three grown children, all of whom have moved out and are established by themselves, and I am presently living temporarily in Bowmanville, Ontario.

My community focus has included being one of the founding directors of Whitby Housing, a non-profit organization dedicated to providing suitable accommodation to the socially disadvantaged.

I would describe myself, in addition to my professional experience, as being hard-working, analytical, a team player and, above all, having good, sound ethical values.

Ladies and gentlemen, I believe that my broad business experience, my current technical training and professional standards make me a suitable candidate for the appointment in question.

I am confident that with an appropriate amount of training by the Council of the Registered Insurance Brokers of Ontario, I would be a strong contributor to the necessary evaluations that would be brought before the tribunal.

Thank you for allowing me to appear before you. I welcome any questions you may have.

The Chair: We're going to continue the rotation from last day. I'll commence with the third party in this case, if the third party wishes to be commenced with, and that will be Mr Martin.

Mr Tony Martin (Sault Ste Marie): Thanks for being here.

The Chair: Sorry to surprise you, Mr Martin.

Mr Martin: That's OK. We'll do our best here to ask some good questions and find out if we think that you're worthy of our support in terms of this important appointment.

We take our role here quite seriously in vetting and making sure that the government is appointing people who understand the challenge in front of them and bring to the job a broad understanding of what needs to be done; and also to get some sense of why it is you would want a position such as this given the array of public service one can do in this day in one's community. So the first question is, why this position and not others, given that you have a very impressive background?

1010

Mr Camelford: The reason I have considered this position and would look to have this position is really threefold. One is an opportunity to continually hone my skills in process evaluation and root cause analysis. That's my personal professional development perspective. I'm also looking forward to periodically working with a group of like-minded professionals. Third, but certainly not least, I want to be able to provide some measure, in a way, to serve my community in a larger perspective.

Mr Martin: This appointment will require you to understand, on one hand, the business that insurance represents. It's quite significant in today's world, because we all seem to want and need insurance for everything. It will also require you to understand the very real human circumstance and difficulty that people get themselves into, and the balance between challenging the insurance company to live up to its commitment to provide that service and support it's been paid to provide and, on the other hand, making sure that brokers and others are acting ethically.

In the material that was provided for us it was indicated that there were a significant number of brokers challenged every year in the industry and found to be short. Do you have any idea what kind of issues this represents? What is your experience and knowledge of that part of this job?

Mr Camelford: I gather from that there were probably several questions that you've posed to me.

Mr Martin: Yes.

Mr Camelford: Let me go back to expand on my understanding of the insurance industry. I have not made it a primary study in my education to understand the industry per se at this point. However, I certainly have the ability to do research and to learn about the unique particulars of a particular industry.

As a user of insurance services throughout a good number of years as a professional, I have been aware, from a consumer perspective, of what the insurance industry means and its impact on an organization by way of a financial professional discharging their responsibilities to ensure their corporation is held safe. So I have a very high regard for the complexities and the impact that this industry can have on individuals and corporations.

In terms of dealing with the business issues, the issues themselves, I understand that each and every issue needs to be reviewed on its own merits and needs to be thoroughly researched and understood before any type of conclusions could be drawn or any type of recommendations could be made.

From what I've read to date, by way of the public information available from the Internet on RIBO, I've only been able to see the one- or two-line synopsis of individual cases that have been identified and presented. I certainly do not pretend to have any deep insight as to the root cause and effect. That's only illustrated by one or two lines of statement within this presentation on their Web site. But I can assure you that as a financial director, and having had substantial staff and dealing with many other stakeholders within a corporation, I have had practical experience in dealing with individuals and even with departments that have not moved or behaved in concert with the standards and practices of the organization. In other words, I've also had to deal with disciplinary measures as a senior financial person and have brought to that type of analysis all of the skill sets by way of doing a full process evaluation, of understanding the root causes and hopefully understanding some of the motivation that may have caused an individual to behave in a particular manner.

Mr Martin: It is certainly an issue today, more so than I've seen in a while, and I've been in this job for over 11 years now. We get people coming in who feel aggrieved by decisions of insurance companies not living up to commitments that were made. Our fear is that we will make appointments to these boards that will be supportive of what you often hear from the government in this day, that we just have to get out of the way of business and let them do their business, let them make money, let them be successful and let them generate profit. Anything that gets in the way is now called red tape. That has taken on a very negative connotation.

There used to be a time that we considered red tape to be regulation to protect people. That had arisen out of circumstances where people weren't protected and got hurt, so we put in place regulatory regimes to make sure that doesn't happen again. We see more and more an elimination of those regulations and setting the table for a free-for-all, like the Wild West. "Business, come on in. You can operate here in a fashion that you can't in other jurisdictions," because we've done away with all of the challenges that are out there.

For example, in my office, one of the issues that continually comes at us now is the issue of people, on the

first application, being automatically turned down. The sense is that if you turn people down, I suppose from a business perspective, the frivolous ones go away. But you also, in my view, in the experience from my office, recognize that there are a whole lot of very legitimate applications put in that also get turned down, and people simply don't apply again because they're intimidated or frustrated or think, "I guess I didn't qualify," and then walk away from that. It seems to me that's driven by the head office attitude.

Having said that, it's also an attitude that seems to be creeping into some of the insurance vehicles that government has at its disposal to help and support people in time of difficulty. They seem to be taking on that same view. What's your view on this issue of "First time around, we deny"? Would that be something you think this board you're being appointed to might want to be sensitive to or take up in some serious and significant way?

Mr Camelford: I don't think I'm at liberty to talk in terms of the overall strategy or business practices of the insurance industry per se. I think if somebody were impacted, by way of a complaint brought forward, I would probably envisage that would be within the jurisdiction of the council that I'm applying to become a part of.

I think to answer that, each complaint would have to be weighed on its own merits, whether a person has been unduly denied access to insurance. Maybe if there is a departure from a standard, a departure from a policy, it would then probably come within the jurisdiction of the council.

1020

Mr Martin: What would your personal view be of this approach to doing business, which basically says that the first time around most people are possibly trying to take advantage of the system and so we'll automatically deny them to see if they're really serious and will do the work to come back the second time? Is that an approach you would support?

Mr Camelford: I would have difficulty answering whether that's an approach I would support. It would depend obviously on the criteria on which the application is being made. If it's an arbitrary dismissal, then I would have difficulty with it. If it were a dismissal by way of standards and/or criteria, then it would probably be agreeable.

Mr Martin: You see, my—

The Chair: Mr Martin, I hate to tell you that just when you're having a good time, the time ends. Your time has concluded, and we move to the government.

Mr Wood: We will waive our time.

The Chair: Mr Wood has waived the government time, so we come to the official opposition. Mrs Dombrowsky.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Camelford. Thank you for taking the time to be with us this morning. We certainly appreciate the background you have provided to us.

From time to time we do have intended appointees who provide some information about some political interests they may have or political experience they may have in their background. Would you have any? Would you be a member of a political party? Would you be involved with a political party at the present time?

Mr Camelford: The answer to both those questions is no. I am not a member of a political party, and I'm not active in one.

Mrs Dombrowsky: Thank you very much. You indicated in your comments to Mr Martin why you looked to have this position, so perhaps you could tell us this morning about how it is that you've come to be an intended appointee for this council.

Mr Camelford: Certainly. The minister's office contacted me and advised me of that opportunity.

Mrs Dombrowsky: The minister's office contacted you. How would they have received your name? Have you indicated in the past that you might be inclined to consider such a role? Have you spoken with members of the government?

Mr Camelford: It would be known that I have gone into private practice, and obviously the minister's office would have seen that I would have the skills and background to make a credible candidate.

Mrs Dombrowsky: I believe that perhaps you do have those skills. But I would suggest, with respect, that certainly there are many people who would possess similar or the same skills. I'm just curious how it is that individuals are identified within communities for such a call, and would then come as appointees, particularly when you suggest to me that you have not had any political involvement of any sort. I am just curious about how that would have happened.

Mr Camelford: It's possible that the minister knows of me from our church affiliations and also possibly from my work on other boards within the community.

Mrs Dombrowsky: Can you identify the minister, please, the office that contacted you?

Mr Camelford: It was the Minister of Finance's office that contacted me.

Mrs Dombrowsky: I see. Thank you very much.

With regard to the background you provided to us, it indicates that you had a role with Paxar Canada until the year 2000.

Mr Camelford: That's correct.

Mrs Dombrowsky: Are you employed at the present time?

Mr Camelford: I am self-employed as a management consultant.

Mrs Dombrowsky: OK. Also in the background that we have provided, you are aware that an appointment to this council is a quasi-judicial role, so you are required to make recommendations that will affect the lives of individuals involved. I would suggest that really is a role that carries with it a great deal of responsibility. Have you had any previous experience with a quasi-judicial body where the decisions you made as an individual

would profoundly impact the lives of an individual, their family or a group of individuals?

Mr Camelford: To answer that, I would refer to my work in a corporate setting and as a senior financial executive, inasmuch again of having to exercise a review of performance of an individual and/or review a new fraction of the corporate policies and procedures. By doing so, I would say I have acted very much in a quasi-judicial setting, because obviously the decisions I've had to make on occasion have certainly impacted an individual's livelihood.

Mrs Dombrowsky: Thank you very much.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Camelford. Welcome. Obviously part of the discipline committee is to make sure business is being conducted in an appropriate fashion so consumers are protected. That's one of the important roles. Are you familiar with that role? Have you got any awareness yourself of certain examples of situations where there has been misconduct, or have you done any research even in terms of the particular role you're hoping to take on?

Mr Camelford: Yes—probably to both of those. The research I've done, as I mentioned earlier, has been limited to a review of the documentation, which is in the public domain, issued by RIBO. I can read through it, and I have enough business experience to somewhat understand, within the one or two sentences that have been presented on each and every case, and have some idea as to what may have been the issue at hand.

Mr Gravelle: Fair enough. I'd like to hear your thoughts on insurance rates in general. You've made reference obviously to being a consumer yourself, as most of us are. I think Mr Martin alluded to it as well, certainly in terms of getting people contacting us in our constituency offices, if not down here, related to the fact that they feel unfair rates are being charged. I've certainly got some examples in my own part of the province, which is northwestern Ontario, in terms of extraordinarily high rates that are being charged to logging truck operators, independent owner-operators, essentially on the basis that they could qualify to some degree as a high risk, but they're also being classed in a general sense—I think they're all being treated as if they're poor drivers, and they shouldn't be.

What are your thoughts in terms of how the insurance industry works in that sense? Do you think it's appropriate to simply classify groups of experienced drivers with good driving records as being high-risk because they drive a certain vehicle, and therefore their insurance rates should be extraordinarily high, or do you think there should be more fairness in the system? It seems to be very difficult to get to the insurance companies. I must admit I've written my share of letters and tried to get ministers involved in this particular issue. I'd love to engage in a conversation about that.

Mr Camelford: Thank you for your thoughts on insurance pricing. I quite candidly have not done a full business research, and I'm not qualified to comment on

the pricing practices and policies or cost structures of the insurance industry per se. I'm not sure whether issues of that type would come forward to the council I'm looking to serve on. I'm not so sure I would see that as an issue I would have to—

Mr Gravelle: No, it probably wouldn't. You're right. I'm not so sure it should, but I was just curious about your personal thoughts on it.

As a lay member of the group, do you think the makeup of the board is appropriate, in terms of the way it's set up?

Mr Camelford: Yes, I do. I believe the council would have appointed individuals who have high integrity, and I think there's an equitable makeup between members from the Registered Insurance Brokers Association and lay members.

1030

Mr Gravelle: You got called by the minister's office. Were there other agencies, boards or commissions you were interested in, or were you called specifically about this appointment?

Mr Camelford: I was advised of this particular appointment.

Mr Gravelle: Thank you, Mr Camelford.

The Chair: That's convenient, because your time has expired.

Mr Gravelle: I sensed that.

The Chair: You sensed that, did you? You actually had about 15 seconds to go.

That completes the questioning. Thank you very much, sir, for being with us. You may step down, and we'll move to our next appointment.

Mr Camelford: Thank you very much, indeed.

GEOFFREY GROSSMITH

Review of intended appointment, selected by official opposition party: Geoffrey Grossmith, intended appointee as member, Ontario Film Review Board.

The Chair: Our next intended appointee is Geoffrey Grossmith, intended appointee as member, Ontario Film Review Board. You may come forward, sir. As you know, you are entitled to make an initial statement if you see fit, and then questions will come from the three political parties who choose to ask. Welcome, sir.

Mr Geoffrey Grossmith: Good morning, Mr Chairman, ladies and gentlemen.

It is with great pleasure and some trepidation that I present myself to you this morning for your consideration for the Ontario Film Review Board.

I'd like to fill in some blanks on my background, if that's OK. I'm a veteran, having served overseas with the RCAF as aircrew. On discharge I attended the University of Alberta, Calgary branch, and I graduated in aeronautical engineering. I joined A.V. Roe at Malton and held a position as senior flight test engineer for a number of years.

In 1956, I was appointed to the Etobicoke planning board and over a period of 25 years served as a member,

vice-chairman and chairman. I also served as a member of the Metro planning board.

I've owned and operated an advertising agency for five shopping centres in Metro. I've also owned and operated a two-branch travel agency. Presently, and for the past 15 years, I am engaged as a real estate agent.

I've lived in Toronto all my life, except for a couple of trips with the service.

More personally, I'm the father of five children, aged 51 to 12, and I recently became a great-grandfather.

Having survived my first three children during the 1950s, I'm happy and proud to say they are respected and professional citizens. My oldest son once told me that the best thing I ever taught him was responsibility. I've tried to live up to that wonderful endorsement as a parent and am now faced with raising two children, aged 12 and 13, in a totally different environment than the previous children.

The multifaceted media of today presents a much more intensive and, in some cases, alarming picture of life to everyone. I feel foremost my family responsibility and a commitment to the public of standards of acceptance. If we are to continue to live and grow, then these standards must prevail.

I look forward to the opportunity to serve on the Ontario Film Review Board and to contribute a positive effort based on my varied experience. Thank you very much.

The Chair: Thank you, sir. We commence the questions with the governing party. Mrs Marland.

Mrs Margaret Marland (Mississauga South): Good morning, Mr Grossmith, and welcome to the committee.

I'm intrigued with your background, only because I'm just a little private pilot with a float endorsement and I'm fascinated that you were in the bomber command in 1945. Knowing that you were a flight test pilot with A.V. Roe, I guess you must have known Jan Zurkowski at that time.

Mr Grossmith: I flew with him many a time.

Mrs Marland: You flew with him?

Mr Grossmith: And he never scared me once.

Mrs Marland: Well, he scared me once, I can tell you.

The fact that that's your background probably makes me wonder why the film board would interest you. Certainly you'd have the courage to sit through some of the garbage that this film review board has to review, both violence and terrifying stuff, plus really objectionable, distasteful material. I once saw the outtakes film they produced, an hour of all the stuff they'd cut out in the last six months. What you're offering to do in the service of the public is quite amazing, and I commend you for being willing to do. Frankly, I couldn't do it.

You mentioned, in talking about your family, about standards to bring children up in to become responsible adults. But I'm still intrigued about why you would accept this particular nomination to the film review board when it will not be an easy challenge for you at all. It's

very commendable, as I say, that you're willing to do that on behalf of our Ontario citizens.

Mr Grossmith: I don't know if it has any bearing, but my background—when I say my background, my grandfather and father were in the thespian field. It never bit me as such, but I've always had an interest in the acting profession. That's number one—I guess the fire within is still there.

But I think basically that if I hadn't had a second family—and I hesitate to say this—I perhaps would not have had as much involvement and interest in the products that are produced today. But having two small children, I'm in the fortunate position of looking at both sides here. It's incredible today what these children are exposed to, and I felt that although I was a member of ratepayer organizations and political organizations, my contribution to being a father was to make sure these children are exposed to the best they can possibly get, and today is not the best.

Mrs Marland: That's very commendable, and I certainly thank you on behalf of my constituents. I think it's marvellous that you're willing to serve—again. Thank you.

The Chair: Thank you, Mrs Marland.

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you, Mr Wood. Our first questioner for the official opposition will be Mr Gravelle.

Mr Gravelle: Good morning, Mr Grossmith. I want to follow up on some of the questions from Mrs Marland. But first of all, how did you manage to get this appointment? Did you seek it out, or were you called about it?

Mr Grossmith: No, I looked for it. I have some friends left over from 1963, when I ran for the government, and I still have some friends in Parliament and the Legislature, and when speaking to them I guess I expressed my concern on a number of things. They're familiar with my concerns in the planning end of it—proper distribution of homes and factories and whatever—but personally, the family is what concerned me. In speaking with one of them in particular, I guess the subject came up and it was suggested that the film review board could serve as a table for me to sit at and do some work with.

Mr Gravelle: Who did you get the call from, then?

Mr Grossmith: He didn't call me; I know him. Morley Kells.

Mr Gravelle: OK. Are you a supporter of Mr Kells? You're a friend of Mr Kells, obviously.

Mr Grossmith: I met him through my sojourn on the Etobicoke planning board—he was a member of council—as well as Chris Stockwell's father, and I know Chris too. That's the thing that started me thinking about doing something about today's entertainment industry.

Mr Gravelle: As Mrs Marland said, it's a very interesting position to be taking on, and it's not an easy one in terms of what you're viewing, there's no question, in terms of some of the things. Having said that, I believe there are some wonderful films out there as well that often don't get the audience they deserve.

Community standards really end up being a very interesting point to define. How does one define community standards? You're obviously in an interesting position in terms of your family. With children, one 51 and younger children, you've perhaps seen all aspects of it. But are you a filmgoer yourself? Are you someone who has a strong sense about what defines a quality film?

Mr Grossmith: I guess, going back to, say, my thespian background, if I had the money and the time, I would be in a show every day. I just love movies. I can remember Ben-Hur, and I'm talking about the first one, the silent movie.

Mr Gravelle: I remember the second one. I got the 1957 one.

Mr Grossmith: That's how far back I go.
1040

Mr Gravelle: That's a long way back.

Mr Grossmith: I thought the guy who was adrift on the island was a terrific film, well acted and things like that, and a good lesson for children to have a look at as self-reliant and what have you. I don't frequent the movies that much because they're a lot of money, but I do see some on television and I'm selective in that respect. You can't be selective when you go to the show. You pick your show and you go to it, but with television I am selective in what I watch and I hope what I try to instill in my children to watch.

Mr Gravelle: But would you agree that community standards are a shifting reality, that they have changed in the last—I think they change all the time, but certainly we live in a society now where community standards would be differently defined than they were 20 or 30 years ago.

Mr Grossmith: Like night and day.

Mr Gravelle: Do you have a strong sense about the kinds of films or the kinds of scenes—one of the things that is often commented on is that sexual content would certainly get a restricted rating but many violent films will be deemed OK for young people to see. Is that something you've given some thought to as well? A lot of people think that often the violence is something we should be watching out for more carefully.

Mr Grossmith: Not to not answer it, but I think the onus lies with the parents to begin with. But failing that, yes, there have to be some restrictions or permission granted to the public to view these. I don't have my feet stuck in the sand as far as anything like that goes. I'm prepared to look at it and I'm prepared to judge it, again based on the fact that I am now exposed to modern-day kids. It's a big decision to have to make, but I'm not buried in sand in my decisions. I can be flexible.

Mr Gravelle: Are your younger children on the Internet? Do they use the Internet a great deal, or at least use computers a great deal?

Mr Grossmith: I don't have a headache from my halo fitting so tight, but I said to them—they were talking about the Internet and a friend of one of them said that their mother puts a lock on the Internet. I said, "I'm not putting a lock on the Internet. I want you to realize what

you're looking at and what is good and not good. If you don't know, ask me." So in answer, I hope, to your question, yes, they view the Internet. They don't go to raunchy movies. They do see some on TV, and I've got an eye on them and I kind of try to explain to them. I don't try to forbid; I try to explain to them what the problem is, if they're going to watch this and form an opinion.

Mr Gravelle: There's an issue related to video games. With that, I'm going to pass it on to my colleague Mrs Dombrowsky.

Mrs Dombrowsky: Good morning, Mr Grossmith. As children's critic for our party, I think the role of the review board is very important, particularly as it relates to reviewing material that would include abject violence. I believe that as a society we need to do all we can to limit the presentation of that sort of violence, because it leaves impressions with children that I think sometimes result in subsequent behaviour, and it's behaviour that they view without any tempering.

Another form of access to this kind of material is through video games, not through film. Video games have become increasingly more violent. As a mother, that's something I am very concerned about. While there is not legislation in Ontario at the present time that would include video games under your responsibility, do you have an opinion as a parent? I think you and I have children of the same age. I would expect that you probably have the same concern that video games might be rented in your home that would be very violent in nature. Would you have an opinion about whether the government of Ontario would have a role to introduce legislation that would include video games as a responsibility for the film review board in terms of determining the violent exposure to children? Do you think that would be reasonable? In British Columbia this is something that the government there did consider. The status of that legislation is somewhat in question now, but I would be interested to know what your position is on video games, if you have one, and whether or not they should be considered by the film review board.

Mr Grossmith: In answer to your question, I do think the government has a role, and might I just add also on the Internet, which is literally uncontrollable. You do have some control; the store owner is responsible and things like that. I don't want to legislate ourselves out of our pants, but I do think the government should have some control over what, and identify these particular vehicles that are being rented. I think legislation to instill that is necessary.

Mrs Dombrowsky: Is that a position you would be prepared to press with your friends in the government, for example, that for the protection of our children there should be consideration given to legislation that would include the viewing of video games by the review board?

Mr Grossmith: Yes.

Mrs Dombrowsky: Very good. That would conclude my questions.

The Chair: Any other questions? You have about one minute left. None? Then we move to the third party.

Mr Martin: Good morning. I certainly heard and understand your concern for children from the perspective of a parent. You know that there's a constant debate in Ontario. On one hand, you have people who think that the review board is too lenient, too liberal, accepts a definition of community standard that's too broad, and on the other hand you've got a group out there who are very concerned about freedom of expression, artistic licence, all that kind of thing. There's a constant balance that one has to arrive at, it seems to me. Have you any thoughts for us today that would indicate to us that you understand the other side of that equation, which is the folks out there who feel they need to be allowed both to express themselves in the way they do through their art form and also those who want to see this kind of stuff?

Mr Grossmith: Yes, I think so. I think everyone has a vested interest in it, whether it's from an artistic or a financial standpoint. They're interested in producing something and having it shown to make money. That's the bottom line. I thought my position would be to kind of take an overall view of it all.

May I digress for a moment? We had the same thing when I was on the planning board. We would have a developer who thought he had the best building in the world, but it didn't always please everybody and you had to listen to the other people who were going to be affected or involved with it. I would take the same approach with this particular problem, having regard to the vested interest of some people, whether good or bad, in my view, and keep them in consideration when I'm making the decision which way to go.

Mr Martin: What about your view on artistic impression and people who claim that what they're doing is simply expressing an artistic impression? I think you understand.

Mr Grossmith: Well, everyone's entitled to it. I just hope that it doesn't become too artistic to influence other people. If they want to express themselves, fine, but when it becomes a point of their artistic views influencing other people, then I think we have a role to play in that.

Mr Martin: What about the issue of people out there who don't want other people imposing their moral or ethical standard on what they as adults should have access to or be able to take into their own home and watch, for example, or perhaps go to a movie theatre and see?

Mr Grossmith: That's a tough one. I think that's parental guidance, and individual guidance if it's not the parents. That's a tough one to answer, I think. In their own homes, that's different. If they're not influencing anyone else other than themselves, then I have to be a little bit more liberal in my thinking on that. Did I answer your question?

Mr Martin: Sort of. Yes, you did.

There was an issue not that long ago that still may be brewing out there; I'm not quite sure. There were materials coming across the border into Canada that were

seen as acceptable by the gay and homosexual community but were being blocked by others who didn't see it as appropriate. Did you pay attention to that at all? Could you share with me what you thought the issues were and where perhaps you would have come down on that?

1050

Mr Grossmith: No, truthfully, I can't be specific about it but I am aware of the movement of the gay community to become more acceptable. I'm aware of that. I have my reservations but I also have my feelings on what should be permitted. I'm aware of it but I've not made a big issue out of it myself.

Mr Martin: Just to get a little more personal for a minute, I'm a father of four children, the youngest being 11, the oldest being 17. When we sit down sometimes as a family on a Friday or Saturday night to have a movie with popcorn and the trimmings, our concern is that so many of the movies nowadays that present as acceptable have within them a little piece that just blows you away. You're sitting there watching something with your kids and it's a really nice story, but there seems to be this wont now to stick something in there that's explicit or of a violent-language nature or something. You just want to fast-forward it but you don't know where it is to be prepared for it. Any thoughts about how we might manage that? I know there's a new system in place now. Where it used to be AA and R, it's now 14A and 18A in terms of going to the movies, which I think is good.

Mr Grossmith: You're saying that should apply to the—

Mr Martin: Yes. What about videos when you're bringing them home and trying to get a handle on that?

Mr Grossmith: From a personal experience, the last two videos they rented, I was quite surprised. The boy picked Joan of Arc, which I thought was really artistic. He had a lot of questions as a result of that. The girl—she likes to laugh—picked Animals. So I didn't have that problem at home. But how to deal with it is a problem and how they inject these saleable innuendoes or language or whatever you want to call it into video is a problem. As I said before, I think we should have a better look at it and be able to control it.

Mr Martin: Just one other question I'm sure the Chair will have some interest in, and it's around the issue of the WWF. It's a thing that I just have a hard time with. I don't allow my kids to watch that and I fight with them all the time. It's a huge battle every time. I have one kid particularly who loves to watch this, but it's so violent and it's so sexually explicit. There are so many things in it that are so offensive.

Mr Grossmith: Can I ask you a question? What do they like about it?

Mr Martin: It's the action and the pyrotechnics.

Mr Grossmith: So if that were the only problem, it wouldn't be a problem, would it?

Mr Martin: No, but it's everything else that goes with it and the fact that when my son watches any amount of it, we can't calm him down. He's on the roof. He's run-

ning around the house and he's challenging his mother and all kinds of things. But what concerns me, though, is that we have leaders in our communities—the Premier and the mayor of this community—out there promoting this stuff.

Mr Grossmith: And Tie Domi.

Mr Martin: And Tie Domi. We can understand Tie promoting it, I guess, perhaps, but the Premier and the mayor of Toronto? My son now wants to come down. He says, "What's the problem, Dad? Mike Harris and Mel Lastman think it's good stuff. Why shouldn't I be able to go?" I have a hard time explaining to him why it is that we think, as his mother and father, that when he's older and he's living on his own and he makes his own decisions, he can do whatever he wants. Anyway, any thoughts about that kind of stuff? Should we be regulating or censoring?

Mr Grossmith: Not to interpret their reasons, but I think probably they are in favour of it because it sells. Now, what it sells is what concerns you. It sells something that's violent, it sells something that's sexy, as you say, and a little explicit.

Mr Martin: It's diminishing of women, too.

Mr Grossmith: I personally think the whole thing's dumb, but that's my opinion. But, no, I don't know how you would restrict that. It's very popular. The only way I restrict it is I laugh at it and so do my kids. But that's my particular problem; I don't know how to solve it.

Mr Martin: Do you have a message here that I would join you in this morning to the Premier, for example, that maybe he shouldn't be out there promoting this kind of stuff?

Mr Grossmith: Again, I say I think he was promoting it because of the method that's used to promote it. I can apply that method to that glass of water if I want to make a big enough deal of it, but I don't think it's right, no.

The Chair: Have we concluded our questions now?

Mr Wood: We've waived our time.

The Chair: Thank you very much. I appreciate all of the input from members of the committee. Sir, you may step down at this time.

Mr Grossmith: Thank you very much. I've enjoyed this.

The Chair: Some people do and some people don't, so it's nice to hear that somebody enjoyed this experience.

Mr Grossmith: That's life. Thank you again.

The Chair: We come now to the part of the agenda where we deal with the appointments themselves, so we have motions that we entertain. First, we'll deal with the intended appointee as member of the Council of the Registered Insurance Brokers of Ontario, complaints committee and discipline committee, Glen R. Camelford.

Mr Wood: I move concurrence. I might say, we have a couple of young people here from London today as part of our Take Our Kids to Work Day. I'm going to ask for a recorded vote on this so they can see a recorded vote.

The Chair: Would you want to name the people? Are you able to name the people?

Mr Wood: I'm going to do that in the Legislature. I don't want to announce this prematurely. There will be an introduction in the Legislature which I know all members will enjoy.

Mrs Marland: You should probably do it here so you know you're safe, so you've got it on the record somewhere, because you never know what the Speaker's going to do.

Mr Wood: Maybe I better. I think Mrs Marland is right.

The Chair: I should say to the students who are here that, for the purpose of Hansard, so your name is spelled correctly, Mr Wood will read it into the record.

Mr Wood: We have Mira Pavan and Virginia Kane, who go to London South Secondary School in the great riding of London West.

The Chair: We welcome them to the committee today.

Mr Wood: I might say Anita Pavan, one of the parents, is also here.

The Chair: Very good. Welcome to the committee, all of you. You get a good opportunity today to see a committee in action and also the Legislature in action. We hope when you go back, you'll be interested in coming back here again, either as a spectator or as a participant. So we'll go back to the business.

Mr Wood: I've moved concurrence re Mr Camelford and indicated I want a recorded vote.

The Chair: Any discussion? Then we will have the vote.

Ayes

Arnott, Dombrowsky, Gravelle, Marland, Martin, Mazzilli, Wood.

The Chair: The motion is carried.

The second intended appointee is Geoffrey J. Grossmith, intended appointee as member, Ontario Film Review Board.

Mr Wood: I move concurrence re Mr Grossmith.

The Chair: Concurrence has been moved by Mr Wood. Any discussion? All in favour? Opposed? The motion is carried.

That concludes our dealing with official business. I'm going to ask members of the committee, after we have completed our business, to deal with another matter where I may get your advice, but that will be subsequent to the meeting, if I can. It will take about two minutes maximum.

Mr Wood: I move adjournment of the committee meeting.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? Motion carried.

The committee adjourned at 1059.

CONTENTS

Wednesday 7 November 2001

Subcommittee reports	A-225
Intended appointments	A-225
Mr Glen Camelford.....	A-225
Mr Geoffrey Grossmith.....	A-228

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Ted Arnott (Waterloo-Wellington PC)

Mrs Margaret Marland (Mississauga South / -Sud PC)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-16



A-16

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 21 November 2001

Journal des débats (Hansard)

Mercredi 21 novembre 2001

**Standing committee on
government agencies**

Committee business

Subcommittee reports

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Travaux du comité

Rapports du sous-comité

Nominations prévues

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 21 November 2001

Mercredi 21 novembre 2001

The committee met at 1003 in room 228.

COMMITTEE BUSINESS

The Vice-Chair (Mr Michael Gravelle): The government agencies committee has come to order. Good morning and welcome. We do have a little bit of business to do before we have our first appointment called.

The Clerk's office has been advised by one of the intended appointees, Mr Howard Whaley of the Cramahe Police Services Board, that he is not available to appear before the committee either today or November 28, but that he would be available to appear on Wednesday, December 5. The date of December 5 would fall beyond the committee's deadline for consideration pursuant to standing order 106, paragraph 10.

Therefore, I want to put a question to the committee. Does the committee agree to extend the deadline for consideration of Howard Whaley until December 6, 2001, pursuant to standing order 106, paragraph 11, which would allow us to call him here on December 5?

Is there any discussion?

Mr Bob Wood (London West): Agreed.

The Vice-Chair: Agreed? That's good news.

Mr Wood: On a point of order, Mr Chairman, while we're doing housekeeping matters: I would ask unanimous consent of the committee to extend the time for consideration of William Covello, an intended appointee to the Ontario Rental Housing Tribunal, by 120 days.

The Vice-Chair: And the reason is that Mr Covello is not well, I understand.

Mr Wood: That's correct. He apparently is ill and not able to attend at the moment before the committee.

The Vice-Chair: Is there agreement from all three parties?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): You're asking for unanimous consent that it be extended by 120 days? Agreed.

The Vice-Chair: Agreed? All right.

SUBCOMMITTEE REPORTS

The Vice-Chair: We will then carry on. We have a little bit of other business. We have a report of the subcommittee on committee business dated Thursday, November 8, 2001.

Mr Wood: I move its adoption.

The Vice-Chair: Mr Wood moves the adoption of the report. All in agreement? Carried.

We have a report of the subcommittee on committee business dated Thursday, November 15, 2001.

Mr Wood: I move its adoption.

The Vice-Chair: Adoption moved. All in agreement? Carried. Thank you very much.

INTENDED APPOINTMENTS

HARRY FINE

Review of intended appointment, selected by official opposition and third parties: Harry Fine, intended appointee as member, Ontario Rental Housing Tribunal.

The Vice-Chair: We will now move to our review of appointments for this morning.

Our first appointment is Mr Harry David Fine, intended appointee as member of the Ontario Rental Housing Tribunal. Welcome, Mr Fine. Please sit yourself down, and you'll have an opportunity to say a few words yourself, after which all three parties will have a chance to interview you.

Mr Harry Fine: Good morning, everybody. I'd like to thank you for allowing me this opportunity to come before the committee. I am pleased to have been considered for this appointment to this important and sometimes controversial tribunal. In the time I have, I'd like to familiarize you with my history and life experiences, which I think well qualify me to do an outstanding job as a member of the Ontario Rental Housing Tribunal. I'm confident that my appointment will assist the tribunal in dealing fairly and expeditiously with the very heavy workload that they find themselves under.

I was raised in a background of community service, both my parents passionate about the importance of involving oneself in the process. But while running a business and raising a family, it's sometimes hard to find time to contribute to public service. In May 2000, my father and I sold our family business, Bowlerama, which started in 1959 here in Ontario and grew to the point where we employed 600 full- and part-time people, people from all walks of life.

I was known as a leader of our industry and as a tireless worker on both the provincial and national boards of our trade association. In dealing with sponsors, staff,

customers and suppliers, I've always been known for my fairness; there had to be something in every agreement for all parties.

The purchasers of our company asked me to stay on as president for the new venture and I remained for a full year to ensure a smooth transition. But in June 2001, I left to face new challenges and perhaps take the time to do things I'd never found time to do in that demanding entrepreneurial life.

The first thing I did was to find some volunteer work, something I've always believed in passionately but never found time to do other than at the corporate level, where I'd worked raising money with wonderful organizations like the Big Brothers, Kids Help Phone and Variety Club of Ontario.

This past summer, I spent about 200 hours working with the physically challenged, both kids and adults. I found this tremendously rewarding, and I plan to continue helping those less fortunate throughout my future careers.

During the summer months, I also began to look for opportunities where I could contribute to the public good and was drawn to many opportunities that the agencies, boards and commissions of this province provide. Finding that there was a vacancy in the ORHT, I read everything I could about the workings of the tribunal and I attended hearings as an observer at the three Toronto regional offices.

I graduated from the University of Toronto in 1977 and went into the family business full time, building it into the largest and most successful bowling and recreation company in Canada. Many of the members of the Ontario Rental Housing Tribunal are lawyers, and some of you may be wondering if my experience running a business qualifies me for the sensitivity to all parties, the detailed analysis and thoughtful interpretation of statute that's required as a member of the ORHT. Anyone running a business will tell you that managing a business is all about managing people. Managing diverse opinions, creating consensus, listening to views and getting others to do the same was part of my everyday agenda.

The most challenging part of my work life has been in dealing with people, and certainly the most rewarding as well. Bowlerama operated in a very entrepreneurial, hands-on fashion, and that meant dealing with the public from all walks of life. I listened to my customers, not just about their problems getting strikes and spares, about which they all complained, but about their work, their families and their struggles to make better lives for themselves. I consider the skills I have in dealing with the public and being sensitive to their points of view one of my greatest strengths.

One of my most important roles in running that business in which most of our locations were leased was in working with landlords. I've spent thousands of hours negotiating, reading and drafting out lines for commercial leases. I have experience both as landlord and tenant, as we were in many cases the head lessor in properties with commercial leases under our control. My ability to

deal with complex issues, legal documents and issues surrounding leasing is quite strong.

I have lived all my life in Toronto and love its diversity and character. Part of appreciating that diversity is recognizing that we have people from all walks of life, from different countries, with different customs and from many different economic situations. We are not homogeneous, and one of the goals of a healthy society is to make sure we have room for everyone.

I understand that my job and the job of the tribunal is to exercise the statutory decision-making power as conferred by the Tenant Protection Act. However, there's latitude and discretion to be had while exercising that power, and I appreciate that my job is to make sure fairness prevails in the application of that act.

In conclusion, I'd like to thank the members of this committee for providing me this opportunity, and hope you recognize my commitment to fairness in the execution of my work as part of the tribunal.

1010

The Vice-Chair: Thank you very much, Mr Fine. We'll begin our interviews with the government. Any questions?

Mr Wood: We'll waive our time.

The Vice-Chair: We then move to the official opposition. Any questions on this side?

Mrs Dombrowsky: Good morning, Mr Fine. You indicated that because you had some spare time, you came to be interested in the role of the Ontario Rental Housing Tribunal. How did you find out about it? Did someone approach you? Did you approach individuals about it?

Mr Fine: I have a great interest. A lot of people I know work in government. My wife actually works as an EA to the MPP. Obviously, that allowed me to understand that these positions were available and to find out what they were all about.

Mrs Dombrowsky: So you have a family connection with your MPP.

Mr Fine: No. My wife works for an MPP.

Mrs Dombrowsky: Who would that be?

Mr Fine: David Young.

Mrs Dombrowsky: I see. Are you a member of a political party?

Mr Fine: I am a member of the PC Party, yes.

Mrs Dombrowsky: I see. Have you ever been either a landlord or a tenant?

Mr Fine: I have been a commercial landlord and tenant through my business, but not a residential one.

Mrs Dombrowsky: Do businesses approach the Ontario Rental Housing Tribunal?

Mr Fine: Businesses that are landlords certainly approach the tribunal. Generally it's tenants or individuals.

Mrs Dombrowsky: I'm interested in one of the statements you made with regard to your interest in ensuring that fairness prevails in the application of the act. I presume, since you've expressed some interest in this role and you've had the opportunity to attend some of the

tribunal meetings, that you might even have been inclined to read the act.

Mr Fine: I have.

Mrs Dombrowsky: Do you think it is fair?

Mr Fine: I think it's balanced. If you look at the whole creation of the tribunal and the amalgamation of several acts into the TPA, it's all about recognizing the realities of the day. I know that some people look at the Tenant Protection Act and look at the tribunal—certainly I've read references to it being called an eviction machine. The fact that people are evicted or that people have problems financially—those problems exist and they're very sad, and there are times when government should have a role. The question is: what is the role of the Tenant Protection Act and how do you balance the needs of the two parties?

In this country, we value and respect capital and the ability to invest capital to make money. I can pretty much be sure that any of the landlords who built residential buildings across the province did so not really thinking about themselves as philanthropists. When people build a residential building, a condominium or an office tower, they have a choice: they can run a business, they can put their money into mortgages or they can put their money in the bank. People who built residential buildings did so with an expectation of making a profit. I think we have to respect that expectation.

Many of them built those buildings in times when government was in the business of subsidizing rental housing. When we change the conditions, when we say what's happening to people in Ontario is difficult—people of lower incomes, people of lesser means and lesser abilities—and how do we protect them, I don't see the government introducing legislation to limit price increases on food or clothing, that we can only increase clothing prices 2.9% a year.

So you ask: is it fair? It's fair if you recognize that we respect the rights of capital. We respect the rights of these landlords, not all of whom are the Cadillacs, the Menkes and the Daniels of the world, but mom-and-pop operations with one building who bought that building with an expectation of making a profit, making a better life for themselves and their families. When I look at the act, that's how I try to balance it.

The most important thing for a tenant, the most important thing for a person, is to have a roof over their head. The most important investment a landlord has made is to purchase that building. The act tries to balance those. I have to use my discretion to help balance those things. In that context, yes, I think it is fair. I could give you the long answer, but—

Mrs Dombrowsky: A very interesting answer, I have to say. I'm rather intrigued with the statement that in this province we value and respect capital. That was one of your statements. That concerns me a little. I think you're making reference there to capital as in buildings, not human capital.

Mr Fine: I was referring to "capital" as in ownership of land, for instance. You don't expect the government to

come and say, "I need your home for an expressway. Not only am I going to take it, but I'm not going to reimburse you for it."

Mr Alvin Curling (Scarborough-Rouge River): Mr Fine, thank you for coming forward. Talking about value for money—I said that; I don't think you said that—you said something rather interesting. You said that a tenant at least should have a roof over their head. I see beyond that. It's not a roof over their head; it's their home. Many times they don't get value for their money. I noticed the emphasis you placed on saying that landlords have an investment and have to have a return on their capital. I fully agree with that. I noticed that you also said there's no restriction on how food is being priced, if I quote you properly. I think you're wrong on that. There are prices placed on food. They are regulated in some respect. Let me ask you this question, then: if, as you administer your role, you find that the law or a regulation does not play a fair role for tenants, would you make a recommendation to the government or to your chair and say, "Listen, I think this is an inadequate regulation"?

Mr Fine: I absolutely would. I would hope I have input as a member of the tribunal. I consider myself caring and compassionate. I think I would use any discretion I have under the act—and there is plenty—to make sure tenants get every fair break we can possibly give them.

Mr Curling: There are more evictions happening now. As you go into your new role in this tribunal, you will find that more evictions are now happening. We have our view on this side. We feel the law is completely discriminatory and allows that much more so. There are many more evictions happening now. Do you have any view on why that is happening? You have read it very well and—

Mr Fine: There are certainly more applications to the tribunal and more evictions, if you look year against year for the last few years. Part of that is because it is a new act and a new tribunal, and so landlords are recognizing it is there and feeling it out and understanding the process. Part of the problem, I think, is simply that there are more people who find themselves in difficult situations.

Remarkable to me is the number of cases—and I'm not there as an adjudicator yet, so I don't understand why—of people who allow default orders to be issued against them. There's a huge percentage of people who don't dispute default orders within the time limit. I would like to understand better why that is. It is an issue in my mind.

There are more people being evicted because times are difficult. What I tried to relate earlier was the fact that if times are difficult—and, yes, governments may have a role—it is not the role of the landlord to incur losses to deal with the issue. The landlord has rights, and so does the tenant.

There was a wonderful article in yesterday's Maclean's magazine, which I just picked up and cut out. There was a quote by Jack Daniels, a developer. He said that, really, with the cost of building and levies and taxes today it is possible that people who are confined to being

renters can never afford to pay the rent we need to make even the smallest of profits in a rental building. That exposes the bigger issue. That issue is: what's wrong with the framework? Part of the problem in Toronto is simply that the city of Toronto sees rental buildings as commercial operations, and they want to charge five times the rate for realty tax that they would on a home. The tenant doesn't see that bill directly. He or she sees it in the rent. Yet the city of Toronto, while they claim to be concerned about the housing problem, wants to charge ridiculous realty tax rates.

Mr Curling: One quick one; I've only got a minute. The rent registry was introduced some time ago. As a matter of fact, I'm rather protective of it because I was the minister who introduced the rent registry. It was an important tool for tenants to negotiate. I'm sure the Tory members, who had no questions, all of a sudden have questions now. Would you feel that would be an important kind of tool for tenants going around judging what they can have and how they can acquire rental property? What's your view on a rent registry?

1020

Mr Fine: I don't know much about it, frankly. I know there was a rent registry. I know it was discontinued. I don't know how it worked, and I really can't comment much on it.

Mr Curling: I want to wish you all the best in your new endeavour, if you are appointed. It's a very challenging thing. Hopefully we can bring some more fairness when we do—especially when we become the government.

Mr Tony Martin (Sault Ste Marie): I listened intently to your description of how capital needs to generate a return on investment and that kind of thing. Do you understand the other side of the equation, that we, as a society, have a responsibility to house people in a fair and adequate way?

Mr Fine: I do, absolutely. But you hit the nail on the head: we as a society may have a responsibility; I don't think the landlord has a responsibility. That's all I was trying to make clear.

Mr Martin: You don't think the landlord is part of society? They're somehow outside of that loop?

Mr Fine: I don't think the landlord, I don't think that an operator of a business—I ran a bowling business. I had 600 full- and part-time people. If I felt my obligation was to take those who couldn't afford it and give them free bowling, what I was doing was jeopardizing the most important people to me in that business, and those were the people who worked for me. People say to me, "What's the most exciting thing, what's the best thing you ever did running a bowling company?" I say, "I gave employment, full- and part-time, to 600 people." Landlords will not be in a position, if they take on a responsibility that perhaps is government's.

Mr Martin: I certainly accept your answer, I have no choice, but do you understand, though, some of the challenges confronting people in today's housing market

to get fair and adequate housing for themselves and for their children? Do you understand that?

Mr Fine: I think I do. I'm becoming more familiar.

Mr Martin: In terms of your appointment to this tribunal, do you feel that you'll be able to bring a balanced and fair approach? You obviously understand the investment side, the capital side, the business side. My concern is, we have literally thousands of people out there now in, if not inadequate housing, certainly housing that is eating into more and more of their income. Do you understand some of the issues that these peoples are facing and confronting and the homelessness problem that we have in the province?

Mr Fine: I understand the issues but I think that—you know, I'm not a legislator; I wasn't elected. My job is to exercise the statutory decision-making powers conferred by the act and to use discretion as best I can, and I plan to use my discretion to try to make sure that it's balanced.

Mr Martin: You're being appointed by legislators to do our job—

Mr Fine: Yes.

Mr Martin: —because we can't be everywhere. Do you understand that?

Mr Fine: But not to write the act.

Mr Martin: But to administer it in a way that understands not just the capital investment side of the equation, but to understand that we have a responsibility as well for people, for children, to make sure that they get housed properly. That's why this tribunal is set up, to make sure that one side isn't gouging the other.

Mr Fine: I do understand and I respect that.

Mr Martin: Tribunals are set up to administer acts. Acts are put in place after, usually, due deliberation by governing bodies trying to find a balance. In an analysis of what's happened since their latest act came into place by—for example, the Parkdale Community Legal Services indicates some inequities. I don't know if you've had a chance to look at those findings.

Mr Fine: I have.

Mr Martin: Does that trouble you in any way, that it seems to be slanted more toward looking after the needs of the landlord than it does the tenant?

Mr Fine: I think if I read something by the Fraser Institute, I would expect a certain outcome. I read something by Elinor Mahoney, who's a tenant activist, and I can't look at that and say I take that at face value. Therefore, I consider her opinions. I just don't think there's enough balance in it.

Mr Martin: In the report that she wrote.

Mr Fine: I'd have to look at where it came from as well.

Mr Martin: You're questioning the figures and—

Mr Fine: I'm questioning her interpretation. Figures can be—figures are interesting.

Mr Martin: I have no more.

The Vice-Chair: Thank you very much, Mr Fine. We'll be making a decision later on in the proceedings.

If I may, to the committee members, just one other piece of business, which I meant to deal with off the top.

With the extension of Mr Whaley to December 5, that leaves us with one person potentially to be called for next week, the 28th—Betsy Stewart, for the Niagara Escarpment Commission. Is it agreeable to the committee that we move Ms Stewart to December 5 and have our next meeting scheduled for December 5, rather than come in for one appointment next Wednesday? Agreed.

So our next session will be for Wednesday, December 5.

MARY HENDRIKS

Review of intended appointment, selected by official opposition and third parties: Mary Hendriks, intended appointee as member and vice-chair, board of inquiry (Human Rights Code).

The Vice-Chair: We now move on to our next appointee. I'd like to call forward Mary Ross Hendriks, intended appointee as member of the board of inquiry (Human Rights Code). Is it Ms Hendriks or Ms Ross Hendriks?

Ms Mary Ross Hendriks: Mary is my preference, actually.

The Vice-Chair: Welcome. It's good to see you here. As always, you have an opportunity to say a few words yourself and then we'll proceed with the interviews. We'll begin with the official opposition.

Ms Hendriks: Thank you. I have some material here.

The Vice-Chair: Don't rush. Take your time.

Ms Hendriks: I brought some things with me that you're welcome to look at, if you like. I do have an opening statement.

Thank you for providing me with this opportunity to meet with you today. I'm truly honoured and grateful to be considered for an appointment to the board of inquiry, which as you know, is the human rights tribunal for this province. I am very honoured that its chair recommended me for this appointment.

For over 10 years, I have been an active member of the executive committee of the feminist legal analysis section of the Ontario Bar Association. For the last few years, I have been the co-editor of our newsletter, *Voices*, and I am very proud of the leadership stance we have taken on a number of domestic and international human rights issues of relevance to women, children and visible minorities.

For example, I researched and wrote an article identifying the growing problem of global slavery, which affects 200 million people worldwide, three months before it was on the cover of the *New Yorker* and about seven months before it was on the cover of *Maclean's*. Based on that research, we wrote to both the federal Departments of Foreign Affairs and Justice and asked what Canada's position is on global slavery, what specific steps Canada has taken to avoid the importation of goods made by slaves and what steps Canada has taken to prevent criminal activity from taking place by Canadians in foreign jurisdictions with children.

I was also this section's delegate to the advocates round table on linking national and international women's human rights in October 1999, where I spoke on behalf of FLAC about the economic rights of women within the context of human rights in light of Canada's participation in the UN's Convention on the Elimination of All Forms of Discrimination Against Women.

In terms of my academic background, I attended York University, where I received my bachelor of arts degree in political science in 1984, my bachelor of law degree from Osgoode Hall Law School in 1987 and my master of law degree from the University of Leicester in 1998. I have brought with me some samples of my legal writing, including my book on motions published by Carswell, if you would care to see them.

As you may already know from the material before you, I was called to the Ontario bar in 1989, and worked as a litigator in private practice and government during my articles and for several years after I was called. During that period of time, I regularly appeared before courts and tribunals on a variety of matters, including personal injury files, commercial litigation files and securities litigation files and appeared on behalf of injured workers and, later, pension beneficiaries as crown counsel. I have acted as both plaintiff and defence counsel. Since that time, I have worked primarily as senior legal policy counsel in the private sector, leading and preparing complex submissions on detailed issues for various financial services regulators on behalf of my constituents, including the joint forum of financial market regulators and an appearance before the Senate banking committee.

I'm very committed to human rights issues and believe that my experience from a legal policy and senior management standpoint would be of value to the board. I am not a member of any political party. I appreciate being invited here today, and I'd be pleased to answer any questions you may have.

The Vice-Chair: Thank you very much. We'll begin with the official opposition.

Mrs Dombrowsky: Thank you very much for attending and for the background you've provided. I was curious: this is a full-time position, so you're looking forward to a change in your career in a new full-time role. You indicated in your remarks that the chair recommended you for this role. I assume that is the present chair?

Ms Hendriks: Yes, Matthew Garfield.

1030

Mrs Dombrowsky: Very good. You're being considered for the position of member and vice-chair, which is a significant appointment as well, so obviously the chair has some significant confidence in your ability.

I'd like to talk to you about an issue that is really very important to me with regard to human rights. It's the matter of the proposed drug testing of people who are on welfare. I was wondering if you have an opinion on that particular policy that's being introduced?

Ms Hendriks: Well, I do have a general understanding that there is case law that alcoholism and drug-dependency are forms of disability. However I have to say that as vice-chair, if I get the appointment, I will have to look at the actual evidence that comes in front of me and weigh it. I'll have to go back and look at the law, specifically the code and any relevant case law, and then I think I would have to balance another competing interest, which is the concept as human rights as a living tree. I would have to weigh those three things, so I can't specifically tell you—

Mrs Dombrowsky: Excuse me, can you repeat the last one?

Ms Hendriks: I've been doing some reading, and some people view human rights law as a living tree. It's a comment that Madame Justice Claire L'Heureux-Dubé has made in a decision: the idea that it is quasi-constitutional and so that it evolves. So you have to be sort of temperate, you have to look at the actual evidence in front of you, the law as it's formed and where there's any discretion how you should use that discretion. I don't know if I've specifically answered your question.

Mrs Dombrowsky: If I might just share with you some of the concern that I have, that a group in our society, because they are less fortunate or because of whatever circumstances have come their way, have found themselves in a situation where they become part of the social service system of the province. By virtue of that misfortune, if you want to call it that, or happenstance, they will now be required to encounter a test that no other person in the province who would be paid out of the public purse would.

Part of the argument is that taxpayers are paying for these people, so for some reason taxpayers then have a right to understand what their personal habits would be. I would only suggest that, by extension, if that is the logic, then perhaps all people who are paid out of the public purse should be subjected to the same set of rules. But in this particular case it would seem that it's only those who find themselves as part of the social service system who are going to be subjected to these rules.

I have a very great concern about that, that as a government we've set aside a group of people for some particular treatment. As I read the background around human rights and human rights issues, I believe this is discrimination, and I believe that it is something that must be addressed immediately. There are jurisdictions in the province that are beginning to plan to pilot the drug testing of people on their workfare programs. It's a very serious issue and certainly one that I hope you have an opportunity to look at. It's obvious that you are a very intense person in terms of your profession, that you look to do a lot of background and study, and that's an area that I'm most concerned about. I did want to understand your perspective to date on that particular policy that is about to be implemented by this government. That would conclude my line of questions.

The Vice-Chair: Mr Curling, do you have any questions?

Mr Curling: Thank you for coming forward. I would say that one of the most important roles that anyone can play in any committee is on this board of inquiry. Without any editorial, justice delayed is justice denied, as we hear all the time. It takes forever for those who have human rights cases to come before the board to be heard. How do you feel about that? You have been dealing with that quite often. Do you feel that the delays are adequate?

Ms Hendriks: Well, again I agree with you that justice delayed is justice denied, but that is really an administrative process issue with the commission itself, not the tribunal. I understand that they are working towards moving cases through more quickly. I think I need to be a bit careful with your question and with Leona's question, that I don't start opining on what are really policy issues when I may have to actually adjudicate cases in front of me that fall squarely on those issues. I don't want to prejudge a case, but I hear what you're saying.

Mr Curling: Basically, I endorse very much what my colleague has said and I said, because there are individuals who get large contracts from government money. Even I get paid by the government. If the welfare people have to line up to be tested for their money, I don't mind lining up to be tested to see if I am on drugs or whatever the case might be. I think it is discriminatory. The other question I have for you is: the tribunal or the Human Rights Commission to me lacks teeth; no substance. It is a nice exercise for people to believe they're getting justice. Even when individuals are found guilty in discrimination cases, they don't pay up. Nothing happens. I have personal experience with that. How do you feel about that, going through the tribunal, going through this exercise and then the judgment will come down that an individual should be paid whatever amount it could be and then nothing happens, like payout?

Ms Hendriks: I would be quite disturbed if I heard a hearing, rendered a decision, no one appealed it and they just didn't pay. I understand that I'll have the ability to award general damages, special damages and mental anguish damages. I take that quite seriously. I intend to make awards. I don't know what I can do to answer your question specifically. I don't know that the adjudicator is the one who can remedy that problem.

Mr Curling: But my proposal or presentation to you is to say that, as you go through this exercise and as you make this judgment for any damages maybe coming to the victim, there should be follow-up by the Human Rights Commission that these people are paid. There are many cases, of course. I'm not putting you on the spot. I'm saying this actually happens. Many cases have come out. You award these penalties to the individuals. Nothing happens. Then, even when the tribunal or whoever in the Human Rights Commission perceives that, they say, "Take it to a civil case."

Sometimes people are better off going straight to the courts than going to the Human Rights Commission. Do you see this as a tangible? I know you're going to serve on this board. You're a lawyer. You have seen the results of cases through the courts. Do you feel that justice is

really done through the Human Rights Commission? It is a great feeling to say, "They have dealt with my case, and they have found that little culprit guilty and I am all right." In the courts, that is not sufficient. That individual is being charged, his possessions are taken away and he pays. Do you see that at all as a comparative, being a lawyer and also being on the Human Rights Commission?

Ms Hendriks: Yes. I do take this appointment very seriously. I take the work of the tribunal extremely seriously. I certainly will be less than pleased if our decisions are not followed. People have the right to appeal them to Divisional Court, but I don't expect to be ignored. I don't know at this point; maybe it is just too early for me to know what I can do to fix that, but I appreciate your comment.

Mr Curling: My last five-second comment is to tell the government that the government should give resources to the Human Rights Commission and give them the authority, the power and the kick to do just so, because I think those individuals who serve on those tribunals are reputable people who want to do a good job.

Mr Martin: Thank you very much. You're obviously a very well qualified individual with, I would think, lots of options open to you at this stage in your life in terms of what you want to do with the rest of your life. This will obviously be all-consuming, I would think.

Ms Hendriks: Yes, I believe it will be.

Mr Martin: Why would you want to do that at this point? What is your interest in this area, other than that it's an interesting legal field and will I'm sure present lots of challenge?

Ms Hendriks: I've always been interested in equality issues and human rights issues. The opportunity to be an adjudicator is a once-in-a-lifetime opportunity. It would be fun. As well as being a lot of work, it would be a lot of fun. It would be intellectually challenging. The work I would do would be important. I've had a little bit of frustration feeling that the work I do is not important enough, quite frankly, right now. It would be a new opportunity for me to do something a lot more constructive with my life.

Mr Martin: You said you have an interest in equality issues and human rights issues. What experience have you had to have developed and honed those interests? What's in your background that we should have some knowledge about?

1040

Ms Hendriks: I've been on the executive committee of the feminist legal analysis section of the Ontario Bar Association for 10 years.

Mr Martin: I noted that.

Ms Hendriks: I'm the co-editor of its newsletter. I brought with me my newsletters if you're interested in looking at them. You're welcome to flip through them. I've also written a book on motions. It is in its second edition from Carswell. I've attended conferences. I have a strong commitment to equality issues. I hope I'm answering your question. I'm not sure I have.

Mr Martin: What I'm trying to get to is, have you had any roll-up-your-sleeves, hands-on out there with people who are struggling with issues of access, equality and opportunity? Have you worked at any legal clinics?

Ms Hendriks: Not since I was in law school. I did a bit of classwork when I was at Osgoode many years ago.

Mr Martin: What I'm concerned about is that we appoint people to these tribunals and boards who have a balance of experience, knowledge and background. You obviously have the legal requirements, there's no question. I'm just wondering on the other side. I appreciate your involvement with the feminist legal analysis section. There are other sectors of society who also feel like they're not getting the fair opportunity they need. For example, this week in the Legislature an Ontarians with Disabilities Act was tabled that will require the Human Rights Commission to oversee now a whole lot more of that area. That's another group of people who feel on the outside looking in. I have a case I'm watching through my own office in Sault Ste Marie where a disabled woman is challenging a post-secondary education institution as to what they did or didn't do for her. Do you have any experience or knowledge in any other fields besides the one that you identified?

Ms Hendriks: I have a lot of legal policy experience. I have a lot of senior management experience. I have a lot of academic legal experience. I've taught the bar ad course a number of times. One of my newer challenges will be seeing diverse groups in front of me. I'm a quick study. I have a good appreciation for the code already. I've been reading a lot of human rights law and critical articles of human rights law. In terms of that specific act, I don't believe at this point those matters would actually end up in front of me unless there's an enforcement section put in the legislation.

Mr Martin: That's the shortcoming in the act. Actually, there is no enforcement.

Ms Hendriks: I don't imagine I would be hearing those cases, then. Although, certainly if I did, I'd have an open mind. I don't see how they would get to my tribunal.

Mr Martin: The area that has been changed is that they've changed the term "handicapped" to "disabled," which will take in a whole array of new people. Handicapped is a very physical thing.

What I'm trying to get at here is, when people come before you—and I think all of us here can identify with this when they present at our offices—it isn't always as black and white as we'd like it to be. The legal analysis and ramifications aren't always the whole story. There are things in a person's life that have happened that will require one to stretch a bit and try to understand and figure out what it is that's getting in the way.

I'm wondering what your ability to do that will be and what your immediate attitude in front of some of that will be. I see too often in people who have positions of some authority and actually some tremendous control over people's lives—a decision can make or break somebody. There are some who come at it very legalistically: "These

are the guidelines. This is what I'm called to do. These are the parameters. Everything else outside of that, I'm not interested. Don't bother me with it."

Ms Hendriks: On that point, looking at a case I'd be looking at the actual facts of the case, the evidence before me, weighing it and looking at the applicable law but, as I mentioned, weighing in the fact that I do think human rights is a living tree and that it does require a certain agility. You have to be prepared to look beyond dictionary definitions where that's appropriate and look beyond precise words where that's appropriate. You have to balance that carefully. I certainly would do my best to be understanding to the people before me and to hear them out carefully. Certainly I think they are the weakest members of society. They're not typically in the best of circumstances or they wouldn't end up in front of the human rights tribunal.

Mr Martin: When and if you get this position and you discover that because of the huge backlog, the demand and the pressure that will be on you, I would think it would be easy to revert to a very narrow—"OK, this is the law; this is the way it is." Is there anything that you could suggest that we might be doing in terms of professional development for people on these boards, other than going to courses on some of the legal changes, language and concerns, to actually get out into the community and begin to live or to at least experience firsthand some of what the folks who come before you are living with and having to deal with, so that your decisions might be flavoured in some way by that?

Ms Hendriks: That might be an interesting idea for a training program. I am planning on attending the training program for adjudicators. That might be something to consider for appointees, yes, some kind of other training program. You have to be careful, though, once people are appointed. I am sensitive to the issue of bias as well, so I have to be a bit careful about how I explore some of that. But certainly if it was done on a collective basis with a number of adjudicators, some kind of sensitivity training, it might be a very good idea.

The Vice-Chair: Thank you very much—I'm terribly sorry, my error. The government members have an opportunity now of course. See, I'm not used to this chairing responsibility.

Mr Wood: We will give you all the help we can.

Over the past 40 years, we've had a fair number of decisions made in the area of human rights adjudications. Do you see your role as primarily to enforce those precedents in the cases that come before you, or do you see your role as primarily to break new ground?

Ms Hendriks: I think I have to consider certainly the body of law before me, the code itself and then the facts of the case.

Mr Wood: Would you see that as your primary role, or would you see your role as primarily to break new ground?

Ms Hendriks: I don't see my role to rewrite the code; I see my role to interpret the code. But as I mentioned earlier, I also think human rights is a living tree. It is a

quasi-constitutional body of law, and I want to consider the facts and the law very carefully.

Mr Wood: Those are my questions.

1050

Mr Joseph Spina (Brampton Centre): I guess it is a bit of a springboard from Bob Wood's question. I wanted to explore your comment about the Human Rights Code being reflective perhaps of—it's a human tree or it is a dynamic change. Do you see that change evolving as public sentiment changes in terms of acceptability for certain practices or less acceptability for other practices? Do you see that as influencing that dynamic or the interpretation of the code in your adjudication process?

Ms Hendriks: I'm sorry, I'm not really sure I'm clear on your question.

Mr Spina: As you evaluate cases, you indicated—I'm paraphrasing so I'm not sure I'm quoting you accurately about how it is a dynamic—

Ms Hendriks: I used the expression "living tree."

Mr Spina: A living tree, thank you. Maybe I'll more simply ask the question, what do you mean that it is a living tree? Could you expand on that a bit?

Ms Hendriks: I'm contemplating that there might be rare instances where facts come before us that were not perhaps contemplated in the code itself and that we are interpreting the code, interpreting prior case law that's come from the code, and having to forge some new ground based on those legal principles and the facts of the case.

Mr Spina: That's based on legal principles that perhaps had not been taken into account in previous cases. Is that what I'm understanding from what you said?

Ms Hendriks: There might be new fact situations, yes.

Mr Spina: Would elements of society's more or less acceptability of certain issues temper that, or do you think that it is strictly the interpretation of the code? I'm thinking in terms of judges, for example, whose opinions or whose judgments may be tempered by changes in acceptability in society of certain elements, or less acceptability of elements in society, that might temper or influence their decision.

Ms Hendriks: I would have to look at what evidence was put before me. Sometimes the commission, for example, puts out policy statements, but those aren't binding law; they are just statements. All those things have to be weighed carefully. As I said, it isn't my personal intention to try to rewrite the code. I'm going to be trying my best to interpret the code. There may be circumstances where the code is vague. I can't think of one off the top of my head, but there could be fact situations that just aren't contemplated squarely within the code and I'm going to have to use some discretion.

Mr Spina: Or make recommendations, I suppose, that they ought to be clarified in legislation. Would that be an alternative if it was too grey?

Ms Hendriks: It is an interesting legal issue. At this point, I'm not sure. I'd have to go back and find out more

about what to do if something is that grey. It's something to discuss with my colleagues.

Mr Bert Johnson (Perth-Middlesex): Do we have more time?

The Vice-Chair: Yes, you do, Mr Johnson. Go ahead.

Mr Johnson: A little earlier, and I think it was with another candidate, Mr Martin made the comment that it was society's responsibility to make sure everybody had a roof over their head or a house or a home. I'm paraphrasing maybe.

Ms Hendriks: Yes, I remember that question.

Mr Curling: It was the right to shelter.

Mr Johnson: "A right to." No, it is not a right to; it's providing it, as I interpret. I want to see how, because I always thought that it was my responsibility as an individual to try to help people. I think that it is a stretch, for me anyway, to say that it is society's responsibility and therefore it is government's responsibility. I wanted to know how you felt about that.

Ms Hendriks: To be candid with you, I think that's a public policy issue as opposed to being an adjudicative issue. My role is to interpret the law and the facts. We do have individual and collective obligations in society. That's my personal view. If it doesn't have direct bearing on the Human Rights Code, it is important for me to be as transparent as possible and not to prejudge cases or go into cases with feelings of bias.

Mr Johnson: To your knowledge, is there anything in the code or any of the judgments on housing within human rights?

Ms Hendriks: I don't know all the judgments perfectly. I don't think it is enumerated directly in the code, no.

Mr Johnson: OK. Thank you. That's my question.

The Vice-Chair: Are there any other questions for the government members?

Mr Wood: We will waive the balance of our time.

The Vice-Chair: Thank you very much. We will be taking a vote later on this morning.

Ms Hendriks: Thank you.

BRADLEY TUFF

Review of intended appointment, selected by official opposition party: Bradley Tuff, intended appointee as member, St Thomas Police Services Board.

The Vice-Chair: Our next appointment is Mr Bradley Craig Tuff, intended appointee as member of the St Thomas Police Services Board. Mr Tuff, if you could come forward. Welcome, Mr Tuff. You have an opportunity to say a few words in advance, if you want, and then we'll have questioning amongst the three parties. Do you wish to make any remarks?

Mr Bradley Tuff: I'll make a brief statement just to let you know a little bit about myself.

I've spent my whole life in St Thomas and area, and I've seen many changes for the best over the past years. I've been married to my wife, Anne, for 13 years. She made the trip down with me today, along with my father,

to experience Queen's Park. We have two young boys, ages 10 and six and a half. I currently work for a Magna stamping plant. I've been there 16 years as a die setter or a crane operator. Through work, I've sat on many committees, including the health and safety committee and social and teamwork utilization committees. Away from work, I volunteer coaching hockey and soccer, and I help with yard duties around our church. Now that my children are in school all day, I've been looking to volunteer for a challenging position with importance in our community.

If awarded this position, I will work hard to learn what I need to know, and I will help make sure our community is as safe a place as it was when I was young, and for my kids also.

The Vice-Chair: We'll begin the questioning with the third party.

Mr Martin: Thank you very much for coming before us today. You're being appointed to a body charged with civilian oversight of policing. What's your position on that? How much oversight should civilians have? How much influence should the general populace have on the issue of how we do policing?

Mr Tuff: I think that on day-to-day issues the police will pretty much run themselves. But just to oversee the chief and to make sure—maybe steer the chief and the board in the right direction, in the direction you want to go, such as crime prevention or along that line.

Mr Martin: What background do you have, which you bring to the board, that you think would be helpful to that end?

Mr Tuff: What's helpful is that I've lived in St Thomas my whole life and raised my family there and I want to do this job. As for schooling, there hasn't really been any schooling I've taken for this. But I have sat on certain committees through work, and I have good judgment and I'm just eager to learn.

Mr Martin: The events of the last few weeks, starting with September 11, have certainly cast a different atmosphere around this province and across the country in terms of security and policing. How do you think that will affect the role and responsibility of the St Thomas Police Services Board?

Mr Tuff: I think we have to make sure we have some disaster policy in effect, be it terrorists or anything along that line, just to have a policy in effect—what to do in these cases for our city, our community, because we are a smaller community with a smaller force.

Mr Martin: Certainly the government has taken some rather dramatic and direct actions in response to the threat that's perceived to be out there. One of them is to appoint a couple of people to report directly to the Premier's office in the area of policing and, in some ways, bypassing the system of reporting and civilian oversight that has been established and has evolved over a period of time under direction from three different political parties. Do you have any concern that now, all of a sudden, there's the potential for policing through the appointment of Major General MacKenzie and the gentle-

man from the RCMP—his name just skips my mind at the moment—that will actually supersede any responsibility or opportunity you would have to affect how policing is done in your community?

Mr Tuff: I can't really see that being a big stopping block for us. Other than that, I really can't comment, because I just don't have enough knowledge at this time. I'm not actually on the board; I'm just trying to get the position. I don't know about that, but I can't see going overtop of the board. I can't see that really happening.

1100

Mr Martin: What would be the most important issue for you right now in being appointed to the board? There's obviously something that has jumped out at you and you said, "Hey, I'd like to do that because I've got a concern there." What's the most important issue for you?

Mr Tuff: I would have to learn the policy of the board and work hard doing that.

Mr Martin: Are there any issues of policing in your community that are a particular problem at the moment?

Mr Tuff: I feel there's some organized crime that's been trying to move in. I know there are a lot of car thefts around town. Youth crime is always something you like to target.

Mr Martin: Again, flowing out of the September 11 event that seems to have captured all our imaginations, there's been lots of debate in the public around the question of racial profiling. One of the concerns I have is the appointment by this government of Major General MacKenzie, who seems to think racial profiling is OK. What would your position on that be if your police services got into a debate or discussion about whether that should actually be part of trying to get to the bottom of, say, this question of rooting out terrorism?

Mr Tuff: I can't agree with racial profiling. It's just ethically not proper. We have many minority groups in our community, and we all coexist together. The colour of your skin or what your religion is means nothing. I can't see any of that being a problem.

Mr Martin: OK. Thank you very much. Those are all my questions.

Mr Frank Mazzilli (London-Fanshawe): Mr Tuff, good morning and thanks for making the trip. I commend you for putting your name forward for the St Thomas Police Services Board. When we talk about civilian oversight or civilian representation, the one thing we have to look at is our communities. You're obviously employed in the auto sector, if you will.

Mr Tuff: Yes.

Mr Mazzilli: In St Thomas and the surrounding area, many people are employed in the auto sector.

Mr Tuff: That's correct.

Mr Mazzilli: I think it's important that you have representation on the board as a working person who, much like other people in St Thomas, can bring your concerns forward.

The one thing I can tell you about boards—the chief and the department will run themselves. Often you get boards that want to meddle in daily operations and they

become unsuccessful. Obviously the board needs to come up with the broader policy on how the chief and the department need to run.

One thing you said in your opening statement was that you want St Thomas to be the same safe place you grew up in. Would you try to steer the department to local issues, some community policing initiatives where you prevent crime so kids can walk around safely?

Mr Tuff: I think that's a smart thing to do: spend more time in the schools and at shopping malls and make the children so they're willing to go up and talk to a police officer and see they're good people, hard-working and just doing a regular job like everybody else. A lot of times, if you find things for kids to do, they're not out looking for trouble. I think St Thomas has taken that step. I would think youth crime in the city is down, but I know they work hard to do that.

Mr Mazzilli: Good. That's my only question. Thank you.

Mr Wood: What would you say are the key qualities or experience you bring to this job on the police services board?

Mr Tuff: The main thing is that I want to do this. I want to serve the community of St Thomas. I think I have very good judgment. I'm a quick learner and I am curious about this. I'm really looking forward to doing this. Just on those points alone, I think that makes me qualified. I try to keep up on local news so I have a fair sense of what is going on around town.

Mr Wood: Have you had an opportunity to speak to some of the people in your area about what their concerns are about policing in St Thomas? Have you had a chance to do that?

Mr Tuff: Have I had a chance?

Mr Wood: Yes.

Mr Tuff: About other people's concerns, is that the question?

Mr Wood: Yes.

Mr Tuff: We talk about it, you know, coffee time talk about work and around the locker room, that sort of thing. It seems to be a lot of the same thing, with car thefts and people drinking and driving, and the drug trade, so it has been spoken about, naturally. Like anywhere else, you know, you talk about what's going on around town.

Mr Wood: Do you have any interest in community policing?

Mr Tuff: Do I?

Mr Wood: Yes. You're familiar with the concept of community policing?

Mr Tuff: Yes, like Neighbourhood Watch and RIDE programs and that sort of thing. Is that what you're asking?

Mr Wood: Yes. Have you given any thought to what you think might work by way of community policing in St Thomas?

Mr Tuff: I haven't given it a whole lot of thought, other than getting to the children when they're young and using that as crime prevention later in their lives.

Mr Wood: Are there any particular things that you'd like to pursue if you're confirmed on the police services board? Are there issues that you are thinking of taking to the board to see whether or not they're good ideas?

Mr Tuff: Not at this time, I don't really have a lot, other than that I really want to stress making the community safe. I want to make it safe for all of us in the town and work on the children, who are the future of our town.

Mr Wood: Those are my questions. We'll waive the balance of our time.

Mr Curling: Mr Tuff, thank you for coming forward. There are two important things that came forward today: the Human Rights Commission tribunal and your appointment here, which I consider an extremely important appointment. Let me just ask you, are you a member of a political party now?

Mr Tuff: Yes, I am.

Mr Curling: What party would that be?

Mr Tuff: I'm a member of the Elgin-Middlesex PC Party.

Mr Curling: Excellent. There are a lot of PC Party appointments here. How did you find out about this appointment?

Mr Tuff: Through a general inquiry with a fellow I know, Bruce Smith. I heard about the turnaround on the board so I put my name in for future reference, and I got a call much later.

Mr Curling: Let me tell you first, before I ask this question, I kind of disagree with my colleague over here that sometimes we should leave the police to do their work. Actually, this board itself which you're appointed to is to oversee as a civilian, to see that the police carry out their work. You, of course, pointed out—only to the chief himself and to give advice accordingly, so therefore it's a kind of interference, if you want to call it that, advice. Sometimes, some police and some police chiefs need guidance and I think this is one of the more sensitive parts of it, about the community itself.

You indicate in your comments that at coffee time you discuss the situation of policing in your community and you say from that you get a sense of it all. Are you familiar with the SIU, the special investigations unit?

Mr Tuff: Somewhat, yes.

Mr Curling: Do you feel that the special investigations unit itself interferes too much with the police's work and what they do?

Mr Tuff: I don't believe it does, no.

Mr Curling: Some police officers feel that way, though. Are you familiar with the fact that some police officers feel that the SIU interferes in their day-to-day work and impedes them from doing an effective job?

Mr Tuff: I'm not aware of that, no, but if that's what you're saying, I guess that must be true. You have your certain beefs with everybody at work, but I think it keeps everybody on the right page.

Mr Curling: And you feel the SIU is a very important organ of the policing environment?

Mr Tuff: I can't see any harm coming from it, no.

1110

Mr Curling: Do you feel that police should investigate police, if there is a problem within the police force in St Thomas itself?

Mr Tuff: They're not above the law.

Mr Curling: Do you feel that they should investigate themselves, or if there is an investigation that maybe civilians should assist in it, or other police officers outside the area, maybe the OPP?

Mr Tuff: I would say officers outside the area would probably be the best.

Mr Curling: So you'd have some concerns about how the SIU does its job, then?

Mr Tuff: It would depend on the case and the circumstances.

Mr Curling: My colleague from the third party talked about ethnic profiling. Do you completely disagree with ethnic profiling?

Mr Tuff: Yes, I do. I totally disagree with that.

Mr Curling: Do you think it does harm to the community itself when one makes a list or targets certain ethnic groups because of, as you said, their colour, religion or just because of their orientation? So ethnic profiling should not be part of the policing force?

Mr Tuff: That's what I'm saying. I don't think it should be part of the force.

Mr Curling: You mentioned that within St Thomas the primary concern with regard to policing was organized crime. Was that it?

Mr Tuff: I'm not saying that is the primary concern. I said it could become a concern because there is a presence of organized crime in town that I've heard of.

Mr Curling: What would you say would be the primary concern of police today in the St Thomas community?

Mr Tuff: I think youth crime is a high concern, drinking and driving has always been a concern for us, and I'm sure there is something on the table now with disaster control. They're trying to get some policy in effect for that.

Mr Curling: Being on this board means that you have to be very much in touch with the community. I appreciate that your experience in the community is wide. Tell us one or two of the community groups you have been involved with and what organizations you are involved with that allow you to be exposed to some of the concerns in St Thomas.

Mr Tuff: If you ever go to soccer night in St Thomas, there are a couple of thousand kids running around the soccer field and it's always a good place to see everybody around town. I spend time at the hockey arenas all winter long and somewhat in the summer. We have a lot of good things around town such as Pinafore Park, where there seems to be a big community presence.

Mr Curling: So you're not involved with or a member of any community organization? You say that at the soccer game you may hear things, which I know sometimes is gossip, but—

Mr Tuff: Coaching soccer and hockey, that's a lot of time and you see a lot of people who spend time there also.

Mr Curling: Do you know of anybody else who wanted to serve on this board? I understand there is a keen interest in St Thomas by people who want to serve on this board. Do you know of anyone else?

Mr Tuff: Anybody else who wants this position?

Mr Curling: Yes.

Mr Tuff: No, I don't. Sorry.

Mr Curling: Why would you want this position?

Mr Tuff: Because it's an important position and it's something that would be a good challenge for me.

Mr Curling: Do you get along well with the chief?

Mr Tuff: I know the chief.

Mr Curling: Do you get along well with him?

Mr Tuff: I have, yes. I knew him before he was the chief.

Mr Curling: So he's a buddy of yours, then?

Mr Tuff: Not necessarily a buddy, but through acquaintances I know him.

Mr Curling: I'm not putting you on the spot. I just want to basically understand this, because policing is a very, very serious profession. What we are seeing today is that many police lack training, not because of their fault but because of resources that are put into the police force. Do you think there is an adequate amount of funding for the police, especially in St Thomas, in order to give them adequate training for the diversity that's happening today, the complexity of crime and what have you? Do you think there are adequate resources being placed in there?

Mr Tuff: I apologize. I haven't seen that information, so I can't make a comment on that. I haven't seen the budget.

Mr Curling: Even without the budget itself—sometimes money doesn't do the trick, you know; it's the commitment. My last comment: would you then feel there should be more? From what you see of the police, are they adequately trained and can they address the issues St Thomas has?

Mr Tuff: I'm sure they're up to par with other forces their size, but I'll bet there's always extra that they need and want, you know.

Mr Curling: That's all I have, Mr Chair.

The Vice-Chair: Thank you very much, Mr Curling. Thank you, Mr Tuff. We'll be voting on your appointment later in the morning.

CHRISTOPHER McCARNEY

Review of intended appointment, selected by official opposition party: Christopher McCarney, intended appointee as member, St Lawrence Parks Commission.

The Vice-Chair: Our next intended appointee is Mr Christopher James McCarney, intended appointee as a member of the St Lawrence Parks Commission. Mr McCarney, welcome.

Mr Christopher McCarney: Good morning, sir.

The Vice-Chair: Good morning, Mr McCarney. You have an opportunity to make a brief statement beforehand, if you'd like, and then we'll obviously have questions from the three parties.

Mr McCarney: Good morning, ladies and gentlemen. I would like to take this opportunity, first of all, to thank the committee for allowing me to sit before you and answer any questions you may have today.

It's my understanding you've been provided with my resumé, so I will make my opening remarks very brief. My name is Chris McCarney. I was born and raised in the town of Gananoque, which is located about 28 kilometres east of Kingston, Ontario. I am the president of a small business in Kingston called DataLink Computer Solutions. This is a computer hardware company that we have. We configure hardware for special applications in business and industry. I'm a director of the 1000 Islands Recreational Aviation Centre, which is an airport located four kilometres north of the town of Gananoque. I'm a two-term past president of the Canadian Passenger Vessel Association. This is a federal association representing passenger vessel owners, ferry operators and marine suppliers from coast to coast. I am a past committee chair for the Ontario Tourism Marketing Partnership program for the eastern committee. At the present time I'm general manager of the Gananoque Boat Line, where I've worked part-time and full-time for 32 years. This company runs one- and three-hour tours of the Thousand Islands. We carry in excess of 300,000 people a year. We operate from two departure locations. My duties comprise the overall general management of the company, but one of my principal duties is marketing.

In closing, I would like to say that my family has been involved with tourism and accommodation properties since the early 1800s and, given my family's experience and my experience over the past few years, I think I can bring a lot to the St Lawrence Parks Commission. Once again, I thank you for the opportunity to speak to you.

The Vice-Chair: Thank you, Mr McCarney. We'll begin the questioning with the members of the government party.

Mr Mazzilli: Thank you, sir. What do you see as the number one issue for the St Lawrence Parks Commission? I know there are many.

Mr McCarney: Tourism is one of their mandates—I think increasing tourism into eastern Ontario. I go back to what Mr Martin had to say. After September 11, you can go back to talking about how to increase revenues and everything else. Right at the moment the biggest problem with tourism, facing not only eastern Ontario but all of Canada, is sustaining what we already have. That part of the world is in turmoil as far as tourism goes.

Mr Mazzilli: Do you think you'll be able to resolve any of the issues around Fort Henry?

Mr McCarney: My knowledge of what happens with Fort Henry right at the moment, other than being there twice and seeing some of the damage they speak of—I think my resolve comes from trying to find a way of sustaining that facility, regardless of who funds it. It is a

very important piece of the tourism puzzle in eastern Ontario, and it's one we cannot live without.

Mr Mazzilli: And as you move forward, what kind of progressive initiatives do you see that one could come up with that would make that more financially self-sufficient?

1120

Mr McCarney: I think that before I answer too many questions, I've got to remark on the point that I was asked by the Chair if I would stand for nomination back in midsummer, and it was only about a week and a half or two weeks ago that I found out about this committee and my appointment. I did ask the chair back in October, and he said he had received no word. So I don't have any intricate knowledge of what goes on within the St Lawrence Parks Commission board, other than any relationships I may have had with them at trade shows or just in talking to them.

Getting back to Fort Henry and the board, I think there is room within the board to explore some different types of marketing. I think I have the expertise to help in that marketing. The concept of tourism marketing, which in turn brings in more people, which in turn brings in more revenue and makes a place more self-sustaining—that whole concept is changing. I think that through my experience with the different—the Ontario ministry board and through the extensive travelling and work I do with different travel agencies and things like that—I have a very good, clear idea of how we can maybe look at some of the marketing plans they have and help in that respect.

Mr Mazzilli: Those are all my questions. I know that with the skills you bring to the table, you will do a fine job.

The Vice-Chair: Any other questions?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: The official opposition.

Mr Curling: Thank you very much for coming forward. Of course, Mr McCarney, you're into quite a challenging job.

I'll just continue with the Fort Henry situation. I believe you said you're not quite familiar with all the intricacies of it. Just to bring you up to date quickly, Minister Saunderson, at one time, put forward \$35 million for maintenance and repairs in that project, hoping to more or less kick-start it again, which was welcome, very much so, and needed badly. This was never implemented, and I think the commission continued to find itself in a struggling situation. I think later they put \$5 million or something like that in there. Do you feel the provincial government should be putting more money into Fort Henry—because what is going to happen is that it's going to die. As you know, it generates a tremendous amount of money within the Kingston area. What is your feeling about that?

Mr McCarney: The \$35-million repair tag, which seems to be the number everyone throws around with Fort Henry—I think my experience would draw from another attraction we have in our area, called Boldt Castle, which has now become the icon of the Thousand

Islands. It was in just a horrible state of affairs about 15 years ago. It was taken over by the Thousand Islands Bridge Authority. The first thing they did was walk in and do a stabilization program on the castle to stop any further deterioration. I'm quite sure that a stabilization program at Fort Henry can be done for considerably less than \$35 million. I think that's one avenue that must be looked at.

As far as funding goes—once again, I go back to what seems to be the tussle between the federal and the provincial government as to who's going to fund this. All my comments would be drawn strictly from what I read in the newspaper, and I personally don't like commenting on things I read in the newspaper. I go back to the point that the funding for Fort Henry must be found. I will strive to help find that funding and come up with ideas to find that funding, regardless of where we can get the money, provided we can stay within the mandate of St Lawrence Parks. Personally, I don't care whether it comes from the federal government, the provincial government or private enterprise, if we can convince these people in different organizations to get behind it.

Mr Curling: The commission has been on a trend—reduction of services, the closing of campsites, off-loading things so that volunteer groups take over what they usually do. They have gone into public and private partnership. Most of these strategies have put a great burden on the commission to find the funds that are lacking there.

As you said, you don't care where the money comes from. It seems to me there's a tussle, of course, between the provincial and the federal governments. Do you feel that those decisions the commission has made that had this impact on having today's problem—that what it has done is to sort of make up for some of those decisions that were more or less helping it to be viable?

Mr McCarney: I think the commission has done an excellent job, given the materials that they've had to work with. In one of the papers that I read, the commission is now about 60% self-sufficient, which is considerably up from what it was 10 years ago. I believe that the commission runs just like a private business. I am being inundated more and more in my business with so-called user fees every year and I have to start coming up with more ingenious ways to overcome these fees too. I think that's the direction that I would like to see St Lawrence Parks turn to, to become as self-sufficient as it possibly can and as little dependent upon government funding as it possibly can. I think that's the direction that I will try to help take the commission into.

Mr Curling: How far would you go in trying to preserve the heritage of Canada, to the point that everyone who would like to be exposed to the heritage of Canada like this would have to pay a user fee to see that? Do you feel governments have a very important role financially and morally in this regard?

Mr McCarney: I think that, first of all, the heritage of Canada is extremely important, and I think that's unquestionable. I believe that the government does have

a role, if the commission itself cannot find a way within its own means, to try to help the commission to preserve our history and our heritage. Yes, I do.

Mr Curling: So you do think that heritage is a priority for governments, to make sure that people are exposed to heritage and not at the total cost of the people themselves. It's their cost anyhow because it's their taxpayers' money that they've collected.

Mr McCarney: We walk a fine sword. In a perfect world, we would have lots of money to give the government in taxes and, in turn, the government would have lots of money to give back to the businesses, the commissions and everything else to try to maintain these things. I think that all the commission can be asked to do is work as diligently and as best as it possibly can to lessen any burden upon the government, yet know that the government can be there for them or can come up with different ideas and become a partner with them. I think the commission has to be looked at as a business, and you've got to make that business work. Until I get in there and find out exactly how the commission is working right at the moment, I'm probably negligent in making any further comments on how I think the commission should be run, because honestly, I don't know the intricate workings of the commission right at the moment.

Mr Curling: I'm going to give you an opportunity now. Mr McCarney, at the end of your session, the time of your term, what would you like to be known as having accomplished in being appointed to this board?

Mr McCarney: That I was intelligent, that I was dedicated and that I worked my butt off to try to make this commission work.

1130

Mr Martin: I certainly see the protection, support and enhancement of commissions like the St Lawrence Parks Commission as very important in the overall tourism offering we make as a province to outsiders to come in.

As you mentioned, September 11 has shaken to the core that whole business, and it's my view that government has an important and responsible role to play in that. They can't shirk their responsibility. They have to work to find ways to partner with people who are working their butts off to try and make some of these things work. My concern is what side of the line you will come down on in terms of that responsibility. Do you have any political connections?

Mr McCarney: No, sir, I do not.

Mr Martin: You're not affiliated with any party?

Mr McCarney: No, I'm not, sir.

Mr Martin: How did you get this appointment?

Mr McCarney: I was asked by the chair about midsummer if I would let my name stand for nomination. That was Gord Brown. I told him I would. I gave him a resumé and a letter stating that I would. I asked Gord around the first part of October if there was any word or if they'd filled the position and he said at that time they had not. It was only maybe a week and a half or two weeks ago that I found out about this committee meeting.

Mr Martin: You're aware obviously that there are some discussions, we'll call them, between the different senior levels of government as to who is responsible and who should come up with the funding for various projects etc. If it came down to a question of which side of the fence you're on, the commission taking a position that it needed more support from the provincial government, the provincial government saying, "No, you've already had enough. We're out of here. We've done our bit," and if the future of a number of the very important facilities within the commission's jurisdiction were at risk, which side of that fence would you come down on?

Mr McCarney: Hopefully that never happens. I think if it came down to it and I had to make a decision, it would be better to lose a little bit than lose a lot, if that answers your question.

Mr Martin: It doesn't, but let me put it another way, then. In getting this appointment, who do you see yourself as champion for, protecting the interests of the provincial government, because they make the appointments, or protecting the interests of your local community and the St Lawrence Parks Commission?

Mr McCarney: I see myself as championing the parks commission because the parks commission has a very important role in tourism in eastern Ontario, of which I am a part, and it is a major part of the economy of eastern Ontario. The parks commission plays a very important role there. They do an excellent marketing job that a lot of the smaller tourism-type businesses can't afford to go out and do. They do a good job of bringing people in for these people. The St Lawrence Parks Commission in eastern Ontario is a very important piece of the tourism puzzle. It is a very important piece of the heritage puzzle. They do an excellent job of showing off what the heritage facilities that they control do. Given the monies they receive, and through their own initiatives, they do an excellent job.

We are talking a little bit in hypotheticals as to whether or not—you know, if this happens or that happens. We've got Old Fort Henry and, as I stated, I'm going to do everything I can to make sure that I can come up with some ideas and help to maintain that facility. I think personally, just through marketing, I can bring a lot to it from a technical background, through the boats and through construction of boats and things like that. I have a good understanding of building that I can bring to the board as far as any projects that they want to come up with. Is that answering your question?

Mr Martin: Yes, it does. I understand that. Let me paint a scenario for you that will help you understand why I might have asked that question. You can put all the money you want into marketing, promoting and trying to attract tourists, but if you have nothing to bring them to, like if the facilities that you're marketing are falling apart when the tourists get here and they're disappointed, they're not coming back. Your best marketer is a happy customer, I would say.

In northern Ontario we have some facilities where it is understood by those who live in the community that their

value is much wider than simply the enterprise itself. For example, a ski hill brings people in. People spend money in hotels and restaurants. In our area we have an impact with one little ski hill we have, Searchmont, of \$10 million to the local community in any given winter. We almost lost that this winter, following having lost the other significant ski hill in northeastern Ontario, which was Mount Antoine in Mattawa. So if you're marketing northern Ontario as a wonderful place to come and recreate and we don't have those facilities when they come, it doesn't give you much to hang your hat on.

In the instance of Searchmont, the provincial government didn't come to the table and the municipality, because they knew they were on the verge, they were within two days of losing it, had to belly up and sit down with the banks that had control at that point and work out a deal to keep it open for this coming winter so that we wouldn't lose that important engine. The provincial government said they don't have a responsibility because they're not going to invest in individual enterprises.

This is probably a rhetorical question. Do you understand the impact of some of those kinds of facilities on the larger economy of a community? Do you think the provincial government should be there as a partner, making sure that they stay alive?

Mr McCarney: Number one is, yes, I do understand the impact of one attraction on the overall economy. That feeling is present in eastern Ontario. For years and years, when people went to trade shows and they went to see a tour operator, it was, "Come and see my attraction. I've got the greatest attraction in the world." That concept is now changing. Now what people are more and more doing when they're dealing internationally is they're saying, "Come to Canada. It's a great place. Once you get there, come to Ontario, and once you get to Ontario, come to eastern Ontario. Once you come to eastern Ontario, come down to the Thousand Islands." That's the type of marketing structure that is now being promoted, back from the days where you went to Atelier in France and you said, "Come to the Thousand Islands," period. You forgot to tell people about Canada and everything else.

I think that is cognizant of the fact that the country as a whole is very attractive, and then the province is very attractive, and then the communities are very attractive, and that's because of the attractions that are surrounding.

Parks of the St Lawrence, when you talk about funding, if this is where we are getting back to, is getting into a position right now with a few other attractions that are now opening up round the Thousand Islands in the form of a casino. I think that's going to bring a lot more people in. There was an announcement in the Brockville paper of a \$250-million theme park going into Brockville, situated right in the middle of the Parks of the St Lawrence commission's jurisdiction. If it comes to fruition, that is going to be an amazing bonus to eastern Ontario.

I get back to, if all of these things happen and we are able to bring more people into the area, then we can lessen the reliance on the government. I think the gov-

ernment still has a part to play; how big that is depends upon how well the commission can do its job.

The Vice-Chair: We now move to formal consideration of the tentative appointees who appeared before the committee today.

First up is Mr Harry David Fine, intended appointee as a member of the Ontario Rental Housing Tribunal.

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence. Is there any discussion?

1140

Mr Martin: I wasn't able to find the comfort level, in terms of balance, that I need to be able to support this appointment. I just didn't get a sense from the answers I got, actually the honest answers I got, from the intended appointee that he really understood the other side of the equation where the rental relationship is concerned in the province and the very real problem we're confronting, at the moment, of literally thousands of people homeless and inadequately housed.

The fact that people have to make a profit on their investment—we're all involved to some degree in investments, particularly since our pension scheme was changed a few years ago. I'm sure more of us than before are paying attention to how the market works and all that, and we understand the concept of return on investment. But I think we've decided over the years that there are things in society that we moderate and bring regulation to and try to govern in a way that speaks of balance. We're delivering a service that cannot be totally and solely driven by a profit motif. If the only measuring stick is how much profit and how much increased profit—we all understand that over the last 10 or 15 years, people are no longer interested in making the same profit year over year. If an investment isn't increasing in profit—and we're talking 10%, 15%, 20% here—then it's considered a failure. In the 1960s, and I'd suggest even the 1970s, companies I knew of and worked in were happy when they made a profit, whether it was 1% or 5%. Success was, "Hey, we made a profit." But nowadays, that whole realm is driven, as I just suggested, by ever-increasing profit. It's not just 10%; it's 15% or 20%, as I said.

So in the area of housing and providing housing, some of the responsibility we have and some of the actual legislation we've passed at the international, federal and provincial levels, which compels us to make sure we're housing people, that we're feeding people, that we're providing health care for people, I think has to have a big influence on the way we legislate and regulate those industries. There is room within that, and I think it's been shown over the years that people can make a profit if they're smart. Actually, good corporate citizens have a better track record over the long haul, in terms of the sustainability of their businesses and industries, when they act in that way, when they're seen to be and actually do perform as good corporate citizens understanding they have a responsibility.

If we simply turn the delivery of some of these services over to an ethos that speaks of, "Well, you've

got to have a return on your investment, and if you don't have a return on your investment then you have to make decisions that reflect that. So what if there's 1,000 people out on the street? The system will sort itself out. The market will determine. Yes, there are a few who will be victimized and become victims, and that's the price you pay"—I think that in the world we live in today we've become sophisticated enough and politically aware enough that we can do some things.

We put tribunals in place that act on behalf of government, become our arms and eyes and conscience out there, because we can't be everywhere. In this instance, this tribunal is such a vehicle. So I think we have to be really careful, when we make appointments to those tribunals, that we appoint people who understand the whole picture, who have empathy for both sides of the equation and will make decisions that will move us away from some of the statistical evidence we're seeing now that indicates people are being abused, people are being thrown out of their housing without due process—too many of them on a weekly basis, particularly in the larger centres like Toronto. Having said that, I won't be supporting this appointment this morning.

Mr Curling: I want to make a comment about that too. The Ontario Rental Housing Tribunal becomes extremely important now, especially when government itself has abdicated the responsibility to ensure that people have access to affordable housing, that you should not more or less throw out those individuals who need that sort of support—protection, if you want to call it that—in the market, that you should not throw them out there. Individual tribunal members are there to be extremely sensitive to those needs.

Our tribunal appointments must also be sure that those who are providing the housing, the landlords, who of course are there for a profit—that's fine; I think they should make a profit. But in the meantime, those who are buying within that market must have value for money and they must not be exploited. So the individual who is being appointed to that board must understand that, must understand, "Why are the forces for eviction coming before me all the time? Why are the landlords pressuring to make sure their capital investment is preserved?" Having those balanced, we've got to make sure that the appointments we come forward with—I don't want to get into the detail of the abdication of responsibility by government itself in this regard, but a tribunal must be there to protect those interests, and that balance must be there. I did not see that balance. I will not support this.

Mr Mazzilli: What we've heard from Mr Fine is that as a board member he feels it's his job to interpret this legislation that was passed by this Legislature and uphold the law. Certainly what people are talking about here is that somehow he should do more than that, and that's what he said he should not do. He should carry out his duties, and he respects capital.

What he clearly said is that there is a problem. He's acknowledged that there is a problem with the haves and have-nots. There are those types of problems. But you

cannot expect this board and landlords to shoulder that problem. If governments, both federal and provincial, have the solutions, bring them forward. But let's not throw those responsibilities on to a small sector and a board to deal with. Those are my only comments.

The Vice-Chair: Further discussion? We'll move forward with the vote.

All those in favour? All those opposed? Mr Fine's appointment is carried.

We then move on to Mary Ross Hendriks, intended appointee as a member of the board of inquiry (Human Rights Code).

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence. Is there any discussion?

Mr Martin: In this instance, from my perspective anyway, I found there was a balance, an appreciation of the complexity of some of the issues that will come before that board, and that this appointee will do everything in her power to try to understand all sides of the equation. I think she is very highly qualified, obviously, and will do the things required to keep herself current in terms of some of the challenges and difficulties out there.

This is a very important board, particularly in today's environment, and more and more responsibility in the area of human rights and people's rights is being turned over to the Human Rights Commission by this government. We need the kind of appointment and due diligence that I think this appointee will bring to this position, so we'll be supporting it.

The Vice-Chair: Further discussion? Let's move to the vote.

All those in favour? Carried.

We then move on to the appointment of Mr Bradley Craig Tuff, intended appointee as a member of the St Thomas Police Services Board.

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence. Any discussion?

1150

Mr Martin: Again, I think this will be a good appointment. As Mr Tuff said, he comes from the community, he lives in the community and he understands some of the issues. I don't think he comes with any pre-ordained notions about things. He's going to learn and grow with the job, in contrast to an appointee we had before us a couple of weeks ago. That appointee—and it went through—wasn't willing to put on the record that he had no difficulty with racial profiling and indicated a real disdain for the multicultural nature of our country. In the environment we're living in today, after September 11, I think that's a very sensitive area and issue. As government, we have to make sure we are overseeing and appointing people to oversee who understand the sensitivities there. Mr Tuff's position on racial profiling is commendable. Given that it is one of the big issues at the moment where policing and security are concerned, and his position on it, I won't have any difficulty supporting his appointment to this board for those reasons.

Mr Curling: The police services board is an extremely important board. Today, police are challenged by the issues and the laws they have to enforce. I, too, want to say that the response Mr Tuff gave in regard to ethnic profiling pleases me. However, in regard to that, I feel that there has to be a much more informed manner of how the police work and what influence—and I emphasize that—civilians have on the police services board. I had hoped I would have seen—I don't think Mr Tuff has the understanding of how it really works. While he has a good understanding that ethnic profiling is bad, I cannot on that one issue say he would be an excellent member of the board. I think that as a human being he is an excellent individual. I will not be supporting his appointment.

Mr Mazzilli: Just a quick comment. I certainly will be supporting Mr Tuff. When we talk about civilian representation or civilian oversight of police, to get the proper representation of community standards and the community itself—one could certainly come up with a lawyer. I suspect a lawyer would represent a small percentage of the people of St Thomas and the views of those people. I believe Mr Tuff, employed in the auto sector, like many other people in St Thomas, will bring community standards that he shares with his neighbours and other people of St Thomas and will reflect those on the police services board.

The Vice-Chair: Any further discussion? Let's move to the vote.

All those in favour? All those opposed? Mr Tuff's appointment is carried.

We then move on to Mr Christopher James McCarney, intended appointee as a member of the St Lawrence Parks Commission.

Mr Wood: I move concurrence.

The Vice-Chair: Mr Wood has moved concurrence. Any discussion?

Mr Martin: Just to comment in general, I think we had a fairly good morning this morning. We only had two obvious political appointments in terms of connections and cardholding membership and that kind of thing. It is important to point that out. We are doing 50-50 here today. Normally that's not the breakdown.

In the case of Mr McCarney, we have somebody who brings a level of balance that gives me enough comfort to support his appointment. I believe we do need, in the instance of the tourism industry and some of these attractions, a private sector-public sector partnership. However, we have to continually remind this government that they need to be one of the partners. Mr McCarney

will make the point loudly and clearly that, yes, we need to operate some of these facilities that have been in the public domain for a long time in a more businesslike way, make them somewhat more self-sustaining. But at the end of the day he understands that if you're going to market attractions and bring people in and sing the praises of Canada and Ontario and different regions, and they come and what we have to offer is falling apart and not the best or is not maintained in a proper way, then they'll go away and they won't tell anybody. As a matter of fact, an unhappy customer will tell more people than a happy customer.

I think Mr McCarney, coming from, if I remember correctly, a family that's been involved in the tourism industry in that area for quite some time, understands the need for that balance and that partnership and will, when the time comes, speak up for the St Lawrence region, champion some of the issues they have and call on both senior levels of government to play their respective roles and be there in a way that reflects the value in some of the attractions they have responsibility for and that need to be supported and looked after. I'll be supporting this appointment as well.

Mr Spina: I was going to talk about all the wonderful attributes and things Mr McCarney would bring to the table, but my colleague from Sault Ste Marie has done a surprisingly marvellous job, pleasantly to me, from the perspective that he did mention the balance in a parks commission, where you certainly have the environmental element of protecting the parks, the lakes, the islands and so forth, but also that unique involvement and particular experience in marketing it and in increasing its value as a tourism and economic entity. I'm pleased you spoke that way, Tony, and I was very happy to hear that. Those are also the concurrent opinions of myself and maybe some others on our side of the House. We certainly would endorse Mr McCarney's appointment.

The Vice-Chair: Any further discussion? Seeing none, we will move to the vote.

All those in favour? Mr McCarney's appointment is carried.

Thank you very much, committee members. Congratulations to all the appointees. Any further business?

Mr Johnson: Did we pass the subcommittee reports?

The Vice-Chair: We dealt with the subcommittee reports at the beginning of the meeting.

Mr Johnson: Sorry. I missed that.

The Vice-Chair: We will be back here on Wednesday, December 5. The meeting is adjourned.

The committee adjourned at 1158.

CONTENTS

Wednesday 21 November 2001

Committee business	A-233
Subcommittee reports	A-233
Intended appointments	A-233
Mr Harry Fine.....	A-233
Ms Mary Hendriks	A-237
Mr Bradley Tuff.....	A-241
Mr Christopher McCarney	A-244

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Alvin Curling (Scarborough-Rouge River L)

Mr Joseph Spina (Brampton Centre / -Centre PC)

Clerk pro tem / Greffière par intérim

Ms Susan Sourial

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

CA2 ON
XC19
-652

A-17



A-17

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 5 December 2001

Journal des débats (Hansard)

Mercredi 5 décembre 2001

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 5 December 2001

Mercredi 5 décembre 2001

The committee met at 1036 in committee room 2.

SUBCOMMITTEE REPORT

The Vice-Chair (Mr Michael Gravelle): Good morning. The standing committee on government agencies is now in session. We begin with a report of the subcommittee on committee business.

Mr Bob Wood (London West): I move its adoption.

The Vice-Chair: Mr Wood has moved adoption. All in agreement? Carried.

COMMITTEE BUSINESS

The Vice-Chair: If I may also inform the committee, there was one item included in the November 2, 2001, memorandum that has been withdrawn and therefore will not be considered. The item is as follows: an appointment to the Cramahe Police Services Board, Mr Howard Whaley, which was an appointment by the Ministry of the Solicitor General. That has been withdrawn and will not be considered.

INTENDED APPOINTMENTS

BETSY STEWART

Review of intended appointment, selected by official opposition party: Betsy Stewart, intended appointee as member, Niagara Escarpment Commission.

The Vice-Chair: We will now move to our appointee for today—and we have just one—Mrs Betsy Stewart, who is an intended appointment as a member of the Niagara Escarpment Commission. Mrs Stewart, you may come forward. Welcome. As is the tradition, you have an opportunity to say a few words at the beginning if you like, and then we will divide the time between the three parties, beginning with the Liberals, the official opposition. So if you want to say a few words, that would be just fine.

Mrs Betsy Stewart: Good morning, Mr Chairman and members of the committee. Thank you for the opportunity of speaking with you. My name is Betsy Stewart. My husband, Dan, and I have been married 45 years and have two sons. My husband's family has lived and operated businesses on the Bruce Peninsula since the late 1800s.

In 1956 we became cottage owners on the Bruce Peninsula. In 1970 we decided to move permanently to

the Bruce Peninsula. One of the many factors involved in this decision was the clean environment on the Bruce Peninsula: the clean air, the clean water, the miles and miles of open space and forests. In 1970, when we moved to the peninsula, we purchased a resort and marina at Pike Bay, becoming the third generation to own a business at Pike Bay. Since that time we have owned and operated another resort and marina at Howdenvale, a restaurant in Wiarton and a ladies' dress shop in Wiarton. Presently we own a restaurant/gas bar at Pike Bay. I also have my office in this building. Concurrently since 1973, I've been a licensed real estate salesperson.

Since the mid-1970s I have been a councillor and deputy reeve for several terms on Eastnor council, and I am currently a council member in the amalgamated municipality of the Northern Bruce Peninsula. In the past I have been part of every committee of council, sat on the Bruce Peninsula Planning Board as a representative of council. In the municipality of Northern Bruce Peninsula we sit as a committee of the whole and as a committee of adjustment, and address the planning issues of the municipality and review requests for permits on the Niagara Escarpment.

Since 1970 I have belonged to every major tourist organization, both as a business owner and a representative from council. Currently I am the representative from council on the Bruce Peninsula Tourist Association.

I have submitted my application for appointment to the Niagara Escarpment Commission feeling sure that with my business and municipal experience I could make a contribution to the protection and preservation of the Niagara Escarpment. I realize that the escarpment must be saved not only for my generation but for future generations, and I look forward to accepting this challenge.

The Vice-Chair: Thank you, Mrs Stewart. We begin the questioning with the official opposition. Mr Bradley.

Mr James J. Bradley (St Catharines): Thank you very much. My first question would revolve around your general attitude toward the Niagara Escarpment. There are some people who believe you should have on the Niagara Escarpment people who are prepared to entertain all kinds of proposals for development purposes; in other words, who think there's a virtue to balance. I'll put my cards on the table: I think there's no virtue to balance on the Niagara Escarpment Commission at all, that you're

either there to preserve it or you're there to have it developed, one or the other.

So I guess the question I have for you is, particularly with the business you're involved in, would you be prepared to approve development on the Niagara Escarpment lands?

Mrs Stewart: I support the plan's basic principles of establishing a planning process to be sure the area will be protected. The plan has objectives and policies in place to protect the natural environment. They also have a development permit: a person can apply, for whatever reason, to ask to develop property they own. I think that is why we have them, and I think that part should be considered.

Mr Bradley: Do you think we should allow resorts on the Niagara Escarpment lands?

Mrs Stewart: You're talking large developments or any development?

Mr Bradley: Even smaller resorts. Do you think we should allow commercial resorts on Niagara Escarpment lands?

Mrs Stewart: I really don't think that. In our area that is not a problem. We have very little development on the Niagara Escarpment. What's there is quite old, except for one—I think they call it a biosphere lodge, and I think it's in St Edmund's. It's just been built. Outside of the fact that it's been built, I have no idea how they achieved that.

Mr Bradley: There were hearings that took place in certain areas across the province this summer—I know, because I appeared at the one in St Catharines. One of the significant issues they were dealing with was, what role will wineries play on the Niagara Escarpment? The escarpment commission, as it turned out, did not accept the recommendations of the hearings panel, which actually went around the province and listened to people in great detail. The escarpment commission turned around and did not accept those recommendations.

Do you believe there should be new full-service restaurants on the escarpment lands—restaurants that may have banquet rooms, for instance?

Mrs Stewart: I'm really not familiar with that. I would imagine, from the little bit I know, that you're talking about the wineries in Niagara-on-the-Lake.

Mr Bradley: I'm thinking more along the escarpment lands itself. There are other properties on the escarpment where there are proposals. They're trying to develop agri-tourism, and the issue will be whether we will have a shopping centre full of wineries or whether we will have strategically located wineries which will actually be an attraction for people to come down from, say, Toronto or from the United States to a rural setting or whether we'll simply have—I'm exaggerating—a strip mall of wineries. The concern is the size of these restaurants, the commercial implications of having a winery on escarpment lands. What would be your general view of that?

Mrs Stewart: With the little bit I know about planning, I would say that kind of development, in my opinion, shouldn't be allowed on the natural part of the

escarpment, that it should go like it would if it were in my municipality, in the built-up areas, the hamlets, the villages, if possible.

Mr Bradley: Not that you'd care, but I like that answer. That's a good answer.

Mrs Stewart: That's what I believe.

Mr Bradley: And I appreciate that very much. That's my reaction to it, and I know that's what you believe and I'm glad to hear that.

Should public parks on the escarpment be off limits to resort developments?—I asked about that. What about golf courses? Do you think golf courses should be allowed on the Niagara Escarpment?

Mrs Stewart: Again, I have to relate what I know that's going on on the Bruce Peninsula. We have a very large provincial park and we have Fathom Five. I don't think they would ever permit, nor would I have any part of, making a great big resort within those boundaries.

Mr Bradley: In some jurisdictions, Ontario has been good with these huge commercial billboards. I would say there's some variation with it now, but still it's generally been good compared to some American jurisdictions. Do you think that commercial billboards should be prohibited on the country roads within the escarpment lands?

Mrs Stewart: You're talking the large billboards?

Mr Bradley: Yes.

Mrs Stewart: No, I don't. I've been talking about that with Tom Boyle, a previous director here. He was explaining the signage policy, and the understated signs sound just fine. They don't conflict with everything around them. They just don't stick right out—all the same construction, the same size, small.

Mr Bradley: Again, the escarpment lands are pretty unique. As you know, it's been declared a world biosphere by the UN. Much like the farmland in my area, once you've paved it over, no one is going to go in and tear up the pavement and start farming again. So I have a great concern about the future, once we allow development.

Do you see such things as banquet halls and restaurants and so on as being a precedent that would be hard to back down from? In other words, if you allow one, you're really in a position then of giving an argument to others who want hotels, restaurants, resorts, golf courses and so on?

Mrs Stewart: I can see where you're leading with that question. That has happened down here. It's wall-to-wall. On my peninsula, that hasn't happened, and I don't want it to happen.

Mr Bradley: The issue of special panel hearings—this was a special panel hearing that went out and actually listened to people in places such as Owen Sound, I think Orangeville, St Catharines and so on. Do you think that when a panel goes out and specifically hears representations, the recommendations of the panel should be accepted by the escarpment commission itself, or do you believe the escarpment commission has the right to ignore the recommendations of such a panel?

Mrs Stewart: Again, that's a very broad question, and I haven't any background on it. But in my opinion, the Niagara Escarpment plan is in place—it's a provincial policy—and anything this panel is doing should recommend things that aren't against what's already in position.

Mr Bradley: The Coalition on the Niagara Escarpment, which is known as CONE, has expressed its views on many occasions on proposed developments and on the general policies related to the Niagara Escarpment Commission. Do you have an opinion on the role that CONE plays and how much weight should be given to the opinion of the Coalition on the Niagara Escarpment?

Mrs Stewart: I'm familiar with what CONE does. We have a very strong environmental group in our municipality, and we do listen to them. We value their position on anything to do with the Niagara Escarpment or even our own municipality.

Mr Bradley: The MPP for Bruce-Grey-Owen Sound, Mr Bill Murdoch—and I hope I don't mischaracterize him—is not enthusiastic about the Niagara Escarpment Commission and believes it should be abolished and that local municipalities should be able to make the final decisions.

You must be familiar with Mr Murdoch's views on the Niagara Escarpment. Do you agree with those, or would you find yourself more in disagreement than in agreement with Mr Murdoch's views?

Mrs Stewart: Just his personal views or what he tried to implement when he had a private member's bill?

Mr Bradley: Let's say what he tried to implement with his private member's bill. Would you agree with that?

Mrs Stewart: No, not right away. I'm not saying I wouldn't if I read it. I have no idea how he would make sure, if the municipalities got control of implementing the Niagara Escarpment plan, how they would all do it the same way. That's why I think the Niagara Escarpment plan, as a provincial policy governing the whole 450 miles, is a good idea at this point.

1050

Mr Bradley: Do you have a view on the granting of severances on escarpment lands? There was a major controversy that arose, perhaps a dozen years ago, about the number of severances that were being granted on escarpment lands in Grey county. Do you have an opinion on that?

Mrs Stewart: I certainly know that severances—we have a definite example in our community, now that four townships are together, of strip development—all that planning and zoning took place 10 years ago. We have 100-acre parcels divided up in 10-acre parcels, and some of them are still sitting there. I don't think that's good land use.

Mr Bradley: Thank you very much.

The Vice-Chair: Members of the government, any questions?

Mr Wood: We'll waive our time.

Mr Bradley: Can I take the NDP questions?

The Vice-Chair: You can seek unanimous consent.

Thank you very much, Mrs Stewart. We appreciate your being here. We'll be making a determination right after this

Mrs Stewart: Thank you for your time. It was nice meeting you all.

The Vice-Chair: In that this is our only appointee to be interviewed today, we will move to the decision.

Mr Wood: I move concurrence re Betsy Stewart.

The Vice-Chair: Mr Wood moves for the appointment of Mrs Stewart. Is there any discussion?

Mr Bradley: I believe that members of the committee are familiar with my view that I believe the people who are on the Niagara Escarpment Commission should be totally committed to preventing development on the Niagara Escarpment. I understand there are some very valid opposing views to that.

The reason I believe that is that I think it's a real gem that we have here in Ontario. I have on at least two occasions—and this doesn't often happen from opposition people to government people—complimented the government on a couple of decisions that have been made which relate to the Niagara Escarpment. I have personally complimented the ministers, and it was a cabinet decision. So my criticism is not against what the government is doing all the time with the Niagara Escarpment Commission. When they do make some decisions I agree with, I don't mind saying I agree with them.

I think there's a potential for the erosion of the Niagara Escarpment. I have a great fear—and I was pleased with the response of the witness about precedents and what happens when you establish precedents. Now, I understand that you have a commission to be able to make decisions. I think the government understood on two of the decisions—as I say, major decisions on which I directed compliments to them in the House—that they could have been precedents that would then be used by others to justify development coming forward and to claim discrimination if their proposal was not accepted when another which was very similar was accepted.

I didn't expect the witness necessarily to be aware in great detail of the issue of wineries. It's a very difficult one for us, because on the Niagara Peninsula we have some excellent wineries that are doing a great job and attracting people. It always comes down to the dilemma, the same one that California faces, that if you allow too much development, is it attractive then for somebody from Scarborough, for instance, where you're in an intensive community, a large community, to come down to the Niagara Peninsula if you're simply going to see a lot of development that you could see somewhere else, and the rural nature?

It's difficult during our discussion and interview of a candidate here to know whether the candidate would be good or not. I liked some of the answers I heard. On the other hand, it's very difficult to make a judgment based on what I've heard so far. I hope that if the candidate is approved, we would have a good candidate there. I thought some of the answers were very good. I also

understand—I don't expect a person getting appointed to know absolutely everything about the escarpment commission. Heck, I've sat in this Legislature 24 years, and I don't know everything about the Niagara Escarpment Commission by any means, so I don't hold that against anyone. So it's a difficult judgment for me.

Let me put it this way: I will not be voting against the person who is before us today, who obviously has the support of the municipality, because we have municipal representatives who come who have the support of the municipality up there. I've always worried about transferring responsibility from the Niagara Escarpment Commission to local communities, because it's very hard for locally elected people to view things as objectively as, for instance, the province can.

It's a difficult dilemma. Those of us who were municipal politicians—and we have a few here—when we were there, we often thought they shouldn't be Big Brother or Big Sister. Now that we're here, we sometimes look and say, "We can sometimes view things more objectively on a province-wide basis." It's a real dilemma trying to fight that battle.

So I must say I liked a number of the answers I heard from the witness today. I do not know enough about the candidate coming forward to make an informed judgment, but I know enough to know that I don't see an evil person, a person who I think is anti-escarpment, sitting in that chair.

I'd just like to offer those comments on the short time we've had to discuss matters with the witness, who I thought was very forthcoming and honest in her approach and answers.

The Vice-Chair: Thank you, Mr Bradley.

Any further discussion?

We'll then move to the vote.

All those in favour? Opposed? Carried.

Congratulations.

Mrs Stewart: Thank you.

The Vice-Chair: That brings us to the end of the meeting.

Mr Wood: I move adjournment.

The Vice-Chair: Mr Wood moves adjournment. All those in favour? Opposed? Carried.

The committee adjourned at 1057.

CONTENTS

Wednesday 5 December 2001

Subcommittee report	A-251
Committee business	A-251
Intended appointments	A-251
Mrs Betsy Stewart.....	A-251

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Ms Marilyn Mushinski (Scarborough Centre / -Centre PC)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A2 ON
XC 19
G52

Gouvernement
Public



A-18

A-18

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 12 December 2001

Journal des débats (Hansard)

Mercredi 12 décembre 2001

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 12 December 2001

Mercredi 12 décembre 2001

The committee met at 1034 in room 151.

INTENDED APPOINTMENTS

SUBCOMMITTEE REPORT

IAN D.C. McPHAIL

The Vice-Chair (Michael Gravelle): Good morning. Welcome to the standing committee on government agencies. It's good to see you all, as always.

Before we have our selection that's been called, I know there is some other business, the report of the subcommittee on committee business dated Thursday, December 6, 2001.

Mr Bob Wood (London West): I move its adoption.

The Vice-Chair: Mr Wood moves adoption. Are all in agreement with this? All in favour? Carried.

Mr Wood: I wonder if I might ask for unanimous consent of the committee to extend the time for consideration of the proposed appointees set out in the report of the subcommittee of December 6, 2001, by 30 days.

The Vice-Chair: Any discussion on that?

Mr James J. Bradley (St Catharines): It's agreed.

The Vice-Chair: Everyone in agreement? So the extension will be made then. OK, thank you, Mr Wood.

Mr Bradley: Is there a motion to be made? Do we need a motion for that?

The Vice-Chair: Do we need a motion?

Mr Wood: I thought that was. If not, I'll move one, or you can move one.

Mr Bradley: No, no, you go ahead.

The Vice-Chair: All those in favour of the motion? All those opposed? None? Carried.

Mr Tony Martin (Sault Ste Marie): I'd like to move that we call in during the intercession the Ontario Lottery and Gaming Corp for a review.

The Vice-Chair: Mr Martin has moved that we call in the Ontario Lottery and Gaming Corp as an agency. Is there any discussion? Mr Martin has moved that motion. All those in agreement? All in favour? Seeing none opposed, that will be carried. I guess we'll have to determine when that happens, Mr Clerk.

Mr Joseph Spina (Brampton Centre): I'm opposed.

The Vice-Chair: It's too late.

Review of intended appointment, selected by official opposition party: Ian D.C. McPhail, intended appointee as chair and member, Environmental Review Tribunal.

The Vice-Chair: We will then move to the selection of our interviewee today, Mr Ian D.C. McPhail, an intended appointee as member of the Environmental Review Tribunal. Mr McPhail, welcome. Thank you for joining us today. You will have an opportunity, if you like, to make some remarks in advance of the questioning, so please feel free to make a few remarks.

Mr Ian D.C. McPhail: Thank you, Mr Chairman and members of the committee, for inviting me here today. It gives me the opportunity to tell you a little about myself and, subject to your approval, why I am looking forward to this responsibility.

I was raised and educated in Sault Ste Marie. I graduated from Bishop's University and Osgoode Hall Law School. After graduation, I practised law in Toronto, primarily in the areas of wills and estates, real estate and small business issues.

I have always participated actively in the community. In recent years, I served as the first lay board chair of Toronto Grace Hospital. I was a director and then vice-president of the Toronto Chinese Community Services Association. I taught estate planning and administration in the bar admission course. I mentored with the student legal aid society at Osgoode Hall on a program to provide estate counselling, including preparation of wills and powers of attorney to people in need suffering from AIDS and other terminal illnesses.

In 1996, I was appointed to the board of TVOntario and served as acting chair for the year 1999. I am proud to have instituted and managed a strategic planning process which led to beneficial change. We worked to encourage public interest broadcasting focusing on Ontario; for example, our series on the War of 1812. We increased the programming budget by reducing non-essential spending and by continuing to develop viewer participation and support.

For the past two years, I have served as chair of the Alcohol and Gaming Commission of Ontario. This has given me experience as an adjudicator and greater

appreciation of the role of a tribunal in protecting the public interest.

Working with board members and staff, we fulfilled our governance responsibilities by establishing an effective and active committee structure. We embarked on a continuing education program, which included such things as decision-writing seminars. We are close to completing new conflict-of-interest guidelines, performance review measures and our first set of rules of practice. Our strategic planning process is well underway. Our caseload has increased by 75% but, without any increase in staff, we have eliminated our scheduling backlog and the board is delivering our decisions in a much more timely manner. This has been done with no compromise in quality, as evidenced by the fact that none of our decisions has been overturned by the courts.

I have enjoyed learning how to adjudicate in a public administrative tribunal. I believe that my experience in community activities and with these two agencies will enable me to deal with this exciting new challenge.

Over my lifetime, I have travelled throughout this province. I've marvelled at its diverse beauty. I believe in environmental protection, both for today and for future generations. The statutes which are the subject matter of the Environmental Review Tribunal are important to all Ontarians. I will uphold the protections contained in them for the benefit of us all. Thank you.

1040

The Vice-Chair: Thank you very much, Mr McPhail. We'll begin our questioning today with the third party.

Mr Martin: Thanks for coming before us. It's interesting that you have roots in the Soo. There are three of us here this morning; Mr Spina as well. So your chances are pretty good.

Mr McPhail: Good. That's very encouraging. Thank you.

Mr Spina: But only one of us went back home to work.

Mr McPhail: I see.

Mr Martin: Anyway, this is, in my view, a really important appointment. There's nothing more fundamental to the health of a populace and communities than the environment and making sure that decisions we make reflect some serious and intelligent understanding and support for initiatives that are environmentally intelligent. I guess first of all, why do you want this appointment? Of all the things that you could probably do, because you've got a very impressive resumé, why this one at this time?

Mr McPhail: There are several reasons why this tribunal was of particular interest. I enjoy it where I am now, but when I had the opportunity, I was intrigued because it deals with broader issues, which, as you say, Mr Martin, are of perhaps greater significance to the province. It deals with issues on an appeal level, which I think is significant. It gives me the opportunity to work in an area which, although I don't have specific experience, I find very interesting.

Mr Martin: Your understanding of the environment, do you see it as sort of separate entities, looking after the

water, looking after the air, looking after the wildlife and trees? What would your concept of all of that be?

Mr McPhail: I would see all of these areas—wildlife, water, the air, soil—as being very much interrelated. What we do in one area, the philosophy we bring to one area, tends to be replicated or reflected in the other areas as well. I don't think that you can look at any one of those in isolation.

Mr Martin: I may have missed this, because I was going through some of your material here, but what, by way of background, do you bring, then, to those kinds of decisions that you may have to make?

Mr McPhail: The background I bring is not in environmentalism per se, but more in the area of understanding how tribunals work, how to adjudicate, how the tribunal should adjudicate, how the tribunal should carry out its public interest mandate, because it's one of the very interesting things and I think important things about administrative tribunals, as opposed to courts. Courts I see as being essentially passive in that they deal with matters which are brought before them. Administrative tribunals do that as well, but they've also got additional components to them, because they've got a public interest or stakeholder education component. One of the benefits, I believe, of administrative tribunals is that you learn from the hearings that members of the tribunal conduct so that you develop specialized expertise which can also then be helpful in terms of making recommendations to government, because you've got the opportunity of seeing how legislation works on the ground, as it were.

Mr Martin: So you've no background in environmental science or activity? Because it says here that two of the criteria for having appeals approved are, one, what you've just talked about, having regard to the law and to any relevant government policies, but there's also that the decision could result in significant harm to the environment. You'll have to make decisions with regard to that. What knowledge and background and experience will you bring to that kind of—

Mr McPhail: I think the knowledge, background and experience that I or, frankly, any tribunal member of this or other tribunals should bring is good judgment, balance and the ability to learn and to understand. For example, in my present position, I don't have a background in alcohol or gaming, but you learn the statutes and the parties bring the issues before you.

With this particular tribunal, there are more technical aspects, no question of that. In that, you're going to rely on lawyers, engineers, scientists and other experts who bring these before you. To answer your question, I think you have to bring a sense of balance, fair play and a sense of commitment to the issue, because it's important to remember that these statutes that you're reviewing are remedial in nature, and that has to inform the direction you follow.

Mr Martin: What in your view are some of the major issues out there today confronting us that you may have to make decisions about?

Mr McPhail: I think one of the key issues we'll have to deal with is the constant conflict in this province between growth, economic development and our desire to protect the environment and at the same time to ensure that growth can occur in a manner that doesn't harm the environment.

Mr Martin: What's your position on water-taking and the industry that seems to be growing in leaps and bounds in the area of selling off water?

Mr McPhail: In that respect, I understand that the policy of the government is not to allow bulk water-taking, and that makes sense to me. In terms of details of the policy, obviously that's something that I'm going to have to learn more about.

Mr Martin: What about the issue of waste management, in particular the most dramatic one of Toronto and the fact that its landfills are filling up? Right now we're shipping garbage to Michigan. What's your view on that issue of how we should manage our waste?

Mr McPhail: Again, that's such a complex issue. Obviously, I have an interest in it as a resident of the municipality. In terms of what is the best solution for the future, those are issues that may come before the tribunal. I will certainly be spending a lot of time informing myself in detail about these, but I think it would be difficult to offer any detailed opinion at this time.

Mr Martin: OK, thank you.

1050

The Vice-Chair: We now move to the government side. Any questions?

Mr Spina: Thank you, Mr McPhail. If I have trouble saying that, it's because I know you as Ian. I appreciate the opportunity to talk with you today.

If you had a priority in terms of the overall Ministry of the Environment—and this is perhaps a wee bit beyond the scope of the tribunal—what do you think its prime role should be: as a watchdog or as an implementer, perhaps, of regulatory controls?

Mr McPhail: I would think the first stage of the ministry should be as a vigilant watchdog. I think that's an important role in order to alert the government and the people of the province as to what it sees as being threats to the environment. If you want to take a look at that in stages, I think stage one would be that of a watchdog, stage two would be that of trying to develop open and transparent processes to encourage community and public support for environmental goals, and in certain areas, indeed, there is obviously a regulatory and enforcement function there as well. I think the watchdog and the public education functions should come first.

Mr Spina: Ian, thank you very much. I wish you well.

The Vice-Chair: Any other questions?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: We now move to the official opposition.

Mr Bradley: Are you a member of the Conservative Party?

Mr McPhail: Yes, sir, I am.

Mr Bradley: You have supported Conservative candidates in years gone by?

Mr McPhail: Yes, I have.

Mr Bradley: OK. That's the first thing we always like to know on this side. Secondly, why are you leaving the Alcohol and Gaming Commission early? It would appear that you are midway through a term and you're now leaving the Alcohol and Gaming Commission. Why would that be?

Mr McPhail: Because I was approached about taking on this position. Obviously, I have mixed feelings because I enjoyed my term at the Alcohol and Gaming Commission and I think I've been able to make some beneficial changes. However, when I was approached about this, it seemed like a very exciting and interesting opportunity.

Mr Bradley: Did you encounter any problems at the Alcohol and Gaming Commission so the government would want to move you to another commission or would prompt you to want to move to another commission?

Mr McPhail: Not of that sort. Obviously, when you make changes there may be differences of opinion, but one of the things I was very happy about when I was there was that the board was very supportive in terms of what we'd done. By and large, I've found that staff have been quite supportive as well.

Mr Bradley: Were you in conflict with the minister, then? Because it's always odd when a person leaves. I know this may be an attractive alternative, but you have no background that I can see in environmental law and you're in the midst of a term at the Alcohol and Gaming Commission and they move you over here. I'm just wondering what happened at the Alcohol and Gaming Commission that would—

Mr McPhail: I worked with two ministers; there was never any conflict with either of the ministers.

Mr Bradley: So you don't get the feeling that you were shoved out of that position over to this position?

Mr McPhail: No, I do not.

Mr Bradley: OK. You are facing, as well, a situation where you do not have an environmental background. This is an environmental board which deals with environmental decisions virtually exclusively. It does not deal with other things. Do you not feel that that is a disadvantage, that you would not be immersed in environmental law and issues related to the environment, and you're going to be the chair of the most powerful environmental board we have, in fact the only environmental board we have today?

Mr McPhail: The chair of the board has a number of responsibilities. In addition to adjudication, the chair has the responsibility of managing the board and ensuring that the board members work together effectively. The chair has the responsibility for outreach to the public and to stakeholders and the responsibility to provide advice as appropriate in terms of what the tribunal learns. In my two previous experiences with both TVOntario and the Alcohol and Gaming Commission, I believe that I've developed the ability to do this well.

In terms of my years in law practice, I've learned to listen to people, to understand both sides of different positions and to try to be objective, while at the same

time promoting things that either my clients or I believed in.

Mr Bradley: I'm going to go back, if I can, to another question, to the movement from one board to another. Are you telling the committee that it was your decision to leave the Alcohol and Gaming Commission and seek this position? It was your initiative and no one else's?

Mr McPhail: No, I'm saying that I was approached. I had the opportunity and I was very intrigued and excited by the opportunity.

Mr Bradley: Did you get the impression when the person approached you that it was because they no longer wanted you to sit on the Alcohol and Gaming Commission and wanted to put you somewhere else in government? Did you get that impression at all?

Mr McPhail: I did not.

Mr Bradley: You did not. OK. I think Ms Dombrowsky wants to ask some questions.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I listened with some interest when you outlined your understanding of the responsibilities of chair. I have to say that I am somewhat concerned about the fact that your background does not include anything that would relate to environmental experiences. As chair, as my colleague has indicated, of the only quasi-judicial body that affects our environment, I believe you need to be seen as credible in that role. You've indicated, of course, that the role includes adjudication and managing the members of the board. I've been a chair of a board myself, so I have some appreciation of that responsibility.

You've also indicated, though, that there is a responsibility to outreach to the public and the stakeholders. I would suggest that in that particular capacity, you would need to be seen as a credible voice in that respect. I would suggest that for those people who are most concerned about the environment, you would have absolutely no background in that area and that would bring into question your credibility in speaking to those issues knowledgeably. I appreciate that, yes, we can all do some homework and do some study, but I also appreciate that it's experience in the field that really brings to one recognition and respect by people in that particular area.

You've also indicated that it would be your role to provide advice. You also used the word earlier in your presentation about the importance of bringing balance to the position, but I would suggest that it would be rather difficult for you to do that, given that you don't have any environmental experiences in your background. I would suggest that would be quite a formidable challenge for you. So with regard to providing advice, I would suggest that it might be less than balanced.

I would also like to ask if you are familiar with the Ministry of the Environment's statement of environmental values?

Mr McPhail: Yes, I have read the statement.

Mrs Dombrowsky: You are, of course, familiar with one of the more recent issues that has been heard by the tribunal with regard to the Tay River?

Mr McPhail: Yes, I'm familiar with that.

Mrs Dombrowsky: Actually, my understanding is that the Ministry of the Environment defended the charge that it did not consider its own statement of environmental values because the statement was not a law so it didn't have to do that. Does it somehow seem incongruous to you that the ministry would have a statement of environmental values, but when a case comes to the tribunal and is challenged, you haven't considered your environmental values in making this decision and the ministry would offer as defence, "No, we didn't, but it's not a law, it's just a statement. There's no law that says we have to." Do you have an opinion about that?

1100

Mr McPhail: It's not possible for me to say at this time that the ministry did or did not follow the law because, while that hearing has concluded, Pauline Browes, the vice-chair of the tribunal who conducted the hearing, is working on the decision and it has not yet been released. So I haven't had the benefit of being in her position of hearing the evidence and being able to come to any conclusions. Further, I—

Mrs Dombrowsky: I really wasn't asking for a comment on it because I know there hasn't been a decision made by the tribunal, but what I want to understand from you is, does it not somehow seem incongruous that a ministry would have a statement of environmental values—supposedly it should be a functional statement, one that they would use—but in this particular situation, it argued, "Yes, we have the statement but it isn't in law." In fact, this government voted against making it a law when it was introduced as private member's legislation. Does that seem incongruous to you? Does it seem strange that the ministry would argue, "We have the statement but there's nothing that says we have to follow it"?

Mr McPhail: I think a mission statement should inform the decisions made by any ministry or tribunal or organization. Mission statements don't customarily have the force of law unless, of course, they're incorporated into statutes. But as I say, whether that was the case with respect to the Tay River case or not, it just isn't possible to say.

Mrs Dombrowsky: Can you appreciate, however, that people who read a statement of environmental values by the Ministry of the Environment assume that is a guiding principle for the ministry? Can you understand how very surprised and disappointed the people who are governed by these laws are when they see the government arguing, "Yes, it's a statement, but it's not a law"?

Mr McPhail: I understand what you're saying and, indeed, I say a mission statement should be a guiding principle, or should reflect the guiding principles of any organization that has a mission statement. But it may well be that if the statement doesn't have the force of law, it might simply be a reflection of the reality, which is the case if it's not incorporated into statute.

Mrs Dombrowsky: We will have it because it sounds good, but don't make us follow it.

Mr McPhail: I think it should be. I think mission statements should be followed.

The Vice-Chair: Thank you very much, Mr McPhail. That completes that part of the process. We will now be moving toward voting on your appointment. We will now move to the decision on approval.

Mr Wood: I move concurrence re Mr McPhail.

The Vice-Chair: Mr Wood moves concurrence. Is there any discussion?

Mr Bradley: I cannot support the appointment. I can support a number of appointments that have come before this committee, and there are varying reasons for that. It's usually the suitability of the person for the position. Mr McPhail is an individual who is involved very much in different kinds of law other than environmental law. When I look at the background, we have: practice oriented toward individuals and small businesses, fields of law include corporate real estate, wills and estates, received training in corporate and securities law.

For the chair of an environmental tribunal, I would prefer a person who had knowledge of environmental law. The best is probably somebody who has acted on behalf of both proponents and opponents because it is a quasi-judicial position where we would want a person to be able to take into consideration the arguments made on all sides. In other words, it's unlikely you would want a zealot on either side of these issues to be presiding over the hearings.

However, I do look for someone who would have a background in environmental law. These are environmental decisions. I'm sure there are a number of people who belong to the Conservative Party, even, who have extensive experience in environmental law and knowledge in this field. I would have hoped the government would have brought forward an individual of that kind for this position, because it's not just a member, it's a chair of the tribunal as well.

Also, I have some questions in my mind as to why an individual would leave one position in mid-term at the Alcohol and Gaming Commission—and I do not believe I received an answer which was as definitive as I would like it to be when I asked the question. The question remains, is this an attempt to move one person who may be annoying the government or who, for some reason, they don't want at the Alcohol and Gaming Commission, to another position? This is speculative, I understand that. I'll put that on the table. So we'll find another position for an individual who may not be suited for that. There may be other areas.

Mr McPhail has served in many capacities on a voluntary basis and a professional basis, and I respect that. I'm simply flummoxed by the fact that the government would bring forward a person without an environmental law background or an adjudicative background in terms of environmental law and place that person in the position of chair of the board. So I will be unable to support Mr McPhail's appointment to this particular position which is recommended today by the cabinet.

The Vice-Chair: Any further questions?

Mrs Dombrowsky: I share the concerns of my colleague Mr Bradley. I think I also indicated in my remarks that I have a very serious issue with the credibility of an

individual who is in a significant role. I have had the opportunity to speak with people, many of them my constituents, who have had the opportunity to participate at an appeal at the Environmental Review Tribunal. So I have some sense and understanding of what those individuals hope to find in the people they speak with at that body. I know it is their expectation that there will be people there who will have some background and understanding in environmental issues.

I could not agree more with the statement that Mr McPhail made when he suggested that an individual in that role should bring a balanced perspective. I agree with that. Mr Bradley has indicated that someone with a background in the field of law ideally would bring some experiences where he would have dealt with both proponents and opponents on environmental cases. That to me is balance. I would suggest that this individual, who may be very qualified for very many things, in my opinion is not qualified to serve as the spokesperson, the chair of the only environmental juridical body in this province. I will not be able to support this appointment.

Mr Martin: This is a really important appointment. There is nothing more fundamental to quality of life in today's world than how we look after the environment and how we deal with issues of the environment. They are very complicated and sensitive issues. I think it requires a certain degree of understanding, experience and knowledge in that field if you're going to do it properly, particularly as the chair of the tribunal. I didn't sense in Mr McPhail's responses that he had that level of understanding, experience and knowledge. So I won't be able to support this appointment either.

The Vice-Chair: Any further discussion?

Mrs Dombrowsky: A recorded vote.

The Vice-Chair: We will have a recorded vote.

Ayes

Johnson, Mazzilli, Spina, Wood.

Nays

Bradley, Dombrowsky, Martin.

The Vice-Chair: Mr McPhail's appointment is approved.

If I can just bring one other issue to the committee, in terms of our meetings during the intersession, would it be agreeable to the members to have the subcommittee determine the dates that we meet? I understand with the 30-day extension, we have to deal with those appointments by the end of January. Is there agreement that we have the subcommittee determine our meeting times?

Mr Wood: I'd be satisfied if the Chair determines them after consultation with the subcommittee.

The Vice-Chair: That's OK.

Thank you very much, everybody. The meeting is adjourned.

The committee adjourned at 1111.

CONTENTS

Wednesday 12 December 2001

Subcommittee report	A-255
Intended appointments	A-255
Mr Ian D.C. McPhail	A-255

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Joseph Spina (Brampton Centre / -Centre PC)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer
Research and Information Services



**Legislative Assembly
of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 16 January 2002

**Journal
des débats
(Hansard)**

Mercredi 16 janvier 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 16 January 2002

Mercredi 16 janvier 2002

The committee met at 1006 in room 151.

INTENDED APPOINTMENTS

SUBCOMMITTEE REPORTS

LLOYD JACOBS

The Chair (Mr James J. Bradley): I'll bring the meeting to order this morning. The first item of business for the standing committee on government agencies today is the report of the subcommittee on committee business dated Thursday, December 13, 2001.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Is there any discussion? If not, all in favour? Opposed? Motion carried.

The second item of business is the report of the subcommittee on committee business dated Thursday, December 20, 2001.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Is there any discussion? All in favour? Opposed? The motion is carried.

Mr Wood: I have a motion for which I seek unanimous support. I move that the deadline to consider the following intended appointees be extended until the end of the business day January 16, 2002: Dr Suhas B. Joshi, Marlene Hogarth, Linda Cloutier, Mark P. Duggan, John R. Williams, Shirley Fahlgren and Gordon Joseph Chong; and that the deadline be extended to consider the following intended appointees until the end of the business day January 23, 2002: Allan F. Leach, Ravi N. Shukla, Hugh Nicholson, Susan O'Hara, Wendy McPherson, Ronald Atkey and Christopher V. Braney. I seek unanimous consent and support for that motion.

The Chair: Do we have unanimous consent? We do. I'll put the motion. All in favour? Opposed? The motion is carried. Thank you, Mr Wood, for your assistance in that regard.

I want to point out to committee members who would know this that from time to time there are deadlines which cause us some angst in terms of people being able to appear before the committee. This is particularly true when the Legislature itself is not in session. So Mr Wood, the government caucus and the other two parties have been kind enough to co-operate in this matter so that we are able to consider all these appointments. I appreciate very much, Mr Wood, your co-operation and your caucus's co-operation in this regard.

Review of intended appointment, selected by third party: Lloyd Jacobs, intended appointee as member, Social Benefits Tribunal.

The Chair: The first appointment we are dealing with is a selection of the third party, Lloyd Jacobs, intended appointee as member, Social Benefits Tribunal. Mr Jacobs, would you come forward, please?

You would know, I believe, that you have the opportunity, should you see fit to do so—this is entirely optional—to make an initial statement. Subsequent to that, each of the parties will question you for up to 15 minutes. Welcome, sir.

Mr Lloyd Jacobs: Thank you, Mr Chairman and members of the committee. I am pleased and relieved to be here this morning. I hope you all had an occasion to reflect over the holidays, as I have, and that we all will start the new year with a good footing.

I am aware that the Social Benefits Tribunal has a very responsible role to play in the administration of government policy that directly affects the lives of many Ontarians. I would therefore consider it an honour and a privilege to have the opportunity to contribute to Ontario and Ontarians as an adjudicator on that body.

Obviously, I would not be here before you today if those with whom I previously had occasion to demonstrate my desire and competence did not feel that I am a credible candidate to serve in the capacity under consideration.

Growing up in Jamaica, my life revolved around school, church and work. These tenets of everyday life were constantly reinforced at home and throughout the community. One such reinforcement that has had an impact on me to this day was a sign printed in bold, black letters on a commercial building across the street from where I lived that read, "Do your best and God will do the rest."

During my final year in high school I came upon a book called *The Wealth of Nations*, with the caption, "The Creation and the Distribution of Wealth." I was curious. I wanted to learn more. It was not until 1975 that I was able to enrol in an economics program at the University of Waterloo. Those studies helped me to better understand the imbalance that is often created when the various market forces operate simultaneously in

a society such as Ontario. As well, I grew to appreciate the challenge governments face in trying to create policies that seek to minimize the imbalance or the gap between those who have and those who don't.

I moved to Toronto upon graduation and, in keeping with my interest in working with people, I entered the life insurance business, working mostly with low- to mid-income families. You could say I have been in the people business all my life, working mostly in sales and marketing.

I am married and have two grown children.

In 1992, I was recruited by the Centennial College Centre of Entrepreneurship in a capacity that directly tested my assessment and character-judgment skills. I received a 98% success rating in that exercise.

My direct experience as an adjudicator came in 1996, when I had occasion to be appointed to the Commercial Registration Appeal Tribunal as a part-time member.

Over the years, I have been involved in a number of community-based organizations: a charter member of the Council of Jamaicans and Supportive Organizations and the Scarborough Chamber of Commerce; a member of the Scarborough Social Planning Council; a director of York Condominium 404; and on the management committee of a local church.

As a family, we have contributed regularly to the Salvation Army and the Goodwill centres as well as to the food bank.

Mr Chairman and members of the committee, my life experience has allowed me to be able to empathize and encourage, to observe and listen, to inquire, analyze and understand. I can be objective. I am a professional. I am confident, therefore, that despite coming from the private sector, or perhaps because of it, my unique views and experience will help me to lighten the load of the tribunal, and Ontarians will be the beneficiary. I know you have some questions, and I would be pleased to answer them as forthrightly as I can.

The Chair: Thank you very much, sir. We will be beginning today, as the rotation goes around, with the government.

Mr Wood: We will waive our time.

The Chair: Mr Wood has indicated the government will waive its time, so we will proceed to the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Happy new year, Mr Chair.

The Chair: Likewise, sir.

Mr Gravelle: Good morning, Mr Jacobs, and welcome. I think, as you know, there have been some very substantial changes to the welfare system in this province since this government came into power back in 1995. Are you familiar with most of the changes, which obviously would be significant in terms of your taking this position with the board? Are you familiar with those changes, and can you give us any thoughts on what you think of the substantial changes that have taken place?

Mr Jacobs: I am familiar with the changes, to an extent, from what I've been able to gather from the pub-

lic press. Of course the act has changed now to the Ontario Works Act and Ontario Disability Programs Plan Act that replaces the former act under the former Social Assistance Review Board.

You asked for my opinion on those changes. I think the changes, given the time when they were made and the economic circumstances, were well-founded in general. If you ask whether I think they've been successful in terms of what the response has been from those who are affected by the changes—and when I say “those” I'm talking both within and outside government—I don't think I have enough information to indicate one way or another in that vein.

Mr Gravelle: But you did say that because of the economic circumstances you felt the changes were justified.

Mr Jacobs: Yes.

Mr Gravelle: What do you mean by that?

Mr Jacobs: The changes, as I know them—one change was to reduce the amount of fraud that was occurring in the welfare program, and the other was to adjust the welfare rate downwards for those who were in receipt of benefits in such a way that it was fair to those who were employed—the working poor, as we would say—to create some fairness there. In other words, it didn't seem fair for one not working—and I use the term “working” advisedly; it could be volunteer or whatever—to take home a higher disposable income or more than one who is getting up every morning and going to work day after day. That's one aspect I think was fair and still is.

Another aspect of the changes had to do with providing training or assistance for those receiving benefits to allow them to enter the workforce in a productive capacity.

Those are some of the changes as they come to mind now. I think they all were well-founded, and I still believe they were the right thing to do.

Mr Gravelle: I think all of us around this table would agree that welfare fraud is certainly unacceptable, but we might perhaps differ—you talked about a high level of welfare fraud. I think statistically it's a very small percentage. I think the vast majority of people who are on social assistance don't want to be on social assistance and have had some difficulties with the eligibility system. So I have a slight concern with your comments, because they suggest to me that you think there is a larger number of people on social assistance who are doing so fraudulently, and I just don't think that's the case.

If I may ask you one or two more questions. The board you're about to go on is an extremely busy one. If you look at the actual caseload, it's kind of interesting. There's pretty much the same caseload now as when there were far more people on social assistance, even though the numbers have decreased. I believe that one of the reasons is that under the Ontario disability support program we know that the vast majority of people who first apply for disability support are actually turned down and are forced to go through the appeal process. Are you familiar with that and, if so, does that concern you at all?

Certainly one of the concerns I would have is that a large number of people who are in very difficult circumstances when they are applying for disability support are forced to go through an appeal process to get it. I think that's something that should concern us all. When you look at the caseload numbers now compared to five years ago, you would think they would be a lot less, because the numbers certainly are a lot less. What are your thoughts in terms of the fact that a large number of people are turned down initially and are forced to go through the board for an appeal process?

1020

Mr Jacobs: I don't know if I would agree with you that a large number of people are being turned down.

Mr Gravelle: Well, it's true.

Mr Jacobs: Well, it's some relativity. If they are, then there's a justifiable reason for that. I'd assume that those who were turned down were turned down because the act that relates to their particular case—if those acts are adjudicated properly, and I assume they are, in the absence of an appeal, then I think those cases that were turned down were justifiably so.

If you're saying the number of cases going to the tribunal has been reduced because those who are seeking assistance are frustrated by the system or by the legislation, then as an adjudicator it's not for me to say whether the system that is in place should or should not be changed to make it easier for those who are seeking assistance or to make it more palatable for more people, or for fewer people to be turned down.

Mr Gravelle: Certainly I think the assumption that if people are turned down then they were properly turned down is one that—obviously, if you're going to be serving on the Social Benefits Tribunal, I would think you'd want to operate from the presumption that indeed there may be some merit to the applications that come forward. If you look at the system the way it is, I think a number of people are getting their decisions overturned because the process is immediately pushing them into the Social Benefits Tribunal as opposed to helping them out initially. That's one of the concerns we have, and we think that is what's so important about the Social Benefits Tribunal.

Can I ask, Mr Jacobs, if you belong to a political party? Are you a supporter of any political party?

Mr Jacobs: Yes, I do.

Mr Gravelle: May I ask you which one that is?

Mr Jacobs: I appreciate your smile. I'm a member of the PC Party provincially.

Mr Gravelle: I do have other questions, but is there anything you want to ask, Mrs Dombrowsky? There are others I want to ask.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Go ahead.

Mr Gravelle: Are you sure?

Mrs Dombrowsky: Yes.

Mr Gravelle: OK. How much time do I have left?

The Chair: You have until 10:25, about two and a half minutes.

Mr Gravelle: I would like to get your thoughts as well, Mr Jacobs, on one thing the government—in fact, I think the minister came out yesterday and talked about the number of people they've managed to eliminate from welfare who have been in our prison system, the correctional system. One of the concerns that has been expressed to me by the John Howard Society specifically, although they are not disputing the fact that people who are in the correctional system should not be receiving benefits while they are in the system, is that Ontario Works no longer actually goes and interviews people who are in the system to prepare them for their return to society. What happens is that people who are leaving the prison system come out and then have a period of time they must wait to get benefits, if indeed they do need benefits. Obviously it's a challenge for them to get out and get back into society, and one of the concerns they have expressed is that it's a prescription for disaster if they are not at least being spoken to and dealt with in advance and allowed to at least receive some assistance when they return, because if they come out of the prison system and have absolutely no income and no ability—have difficulty getting it right away—that indeed this is wrong.

I guess I share the concern, and I think there probably should be a greater effort made to help people return to society and for those who need assistance to perhaps be spoken to while they are still in the system. What are your thoughts on that?

Mr Jacobs: Thank you for the question, and I appreciate the fact that you did indicate there is some assistance to people to reintegrate into society. Maybe it's not as great as you would like to see.

What I can say is that I would not have any control in who comes before the tribunal. What I can say to you is that if anyone comes before me to appeal a case, as an adjudicator I will be as impartial as anyone possibly can be and I won't make any assumptions until all the evidence is put forth and I weigh those in relation to the relevant legislation and make a finding of fact. Based on that, I can empathize with the constituency of which you speak. I certainly do. But my role as adjudicator would not permit me to give any indication that I'm biased or in a position to influence or to form policies. My job would simply be to deal with the cases as they come before me.

I haven't been to the John Howard Society or dealt directly with the person, but I'm aware of people from a lot of different sections of society who are in very bad straits, and I'd say in my capacity I would do whatever is required within the law to assist them.

Mr Gravelle: Because I think—

The Chair: Thank you. Those are your questions. Your time has expired, Mr Gravelle, at least in this committee and for this particular individual. Now I go to the third party; Mr Martin.

Mr Tony Martin (Sault Ste Marie): I look at your resumé and I don't see anything in it that would indicate this would be an interest of yours, this whole area of social assistance and social benefits and the Social

Benefits Tribunal. Why would you be seeking this particular appointment, if that's the case? There's no educational background here, there's no experience in this. Why this appointment? There's a myriad of stuff, being a good card-carrying PC, that you could have applied for and probably been successful in attaining. Why this particular one?

Mr Jacobs: I appreciate the question. I thank you for that, and I suspected you would ask that. I've done over 100 resumé. The resumé in front of you, I don't know how current it is. In putting a resumé together, the normal thing is to make it two pages. I'm 53 years old. I have a lifetime of work and experience, and what I'm happy about is that I'm before you now with the opportunity to maybe expand on what you have in front of you. My resumé doesn't tell the whole story, so to speak.

To answer your question more directly, I've always thrived on challenges and new situations. This assignment presents a new challenge and it would give me an opportunity to demonstrate the skills I've acquired over the years from different areas to serve Ontarians.

I had a three-year appointment on the Commercial Registration Appeal Tribunal; that was in 1966. I sense that's where my interest started to develop to serve in the capacity we're considering now. On that tribunal I learned quite a number of things. I learned that I had the capacity and the mindset to work as an adjudicator. At the same time, I sensed I was helpful to people in the sense of leaving them with a positive feeling regardless of how the decision ended up, whether it was in their favour or not. I was able to deal with them in such a way that they were helped.

At the same time, from my own perspective, working on the Social Benefits Tribunal would help my own personal development and fulfillment in terms of what I'm able to contribute to society, I hope.

1030

The Social Benefits Tribunal in my own estimation is a very important, very responsible tribunal because it deals essentially with socio-economic issues. My education might not have been spelled out in there, but I have a degree in economics from the University of Waterloo, and in those studies it wasn't strictly raw economics; there were a lot of social issues as well. There was a lot of politics; there was some law. So while I was at the commercial registration tribunal, I thought this was something that I would want to do, I think I can be very helpful here, and that's when I started to inquire as to what might be available, particularly at the Social Benefits Tribunal, as it is now called.

Mr Martin: Thank you for that. It certainly doesn't give me any more comfort that you really have any background at all in this field—perhaps a dabbling in it during your economics degree in Kitchener, but there is nothing to indicate to me, either in your resumé or what you've just shared with me, that you have any experience, knowledge or understanding of the whole area of social service and social assistance. It concerns me because these are some of our most vulnerable people we're deal-

ing with, those most at risk in our communities for a number of things on a number of fronts.

I'm still wondering why, with your background in business and economics and even your tenure with the commercial registration, whatever, where you made people feel good even if they didn't get a positive response from the tribunal—I assure you that in this instance it's very difficult to make people feel good about not having enough money to feed their children. What they want is the basic necessities of life, and you're going to be in a position to make decisions of that significance for them, and yet no background in it, no understanding, it seems, of some of the very important issues. When my colleague from the Liberal caucus asked you what you knew of the act, you said that it was changed to deal with abuse of the system. Well, what about the issue of poverty and trying to eradicate poverty in the province? You didn't mention that at all. Is that a concern for you?

I ask the question again: given the lack of experience and the lack of education in this field, what is it that you think you can bring to this tribunal that would give me any comfort that you will understand the sometimes very critical need of some of the people who will come before you for the very necessities of life to look after themselves and their children?

Mr Jacobs: I appreciate your question and your comments around it. I don't believe that to be an effective, fair, good, impartial adjudicator on the Social Benefits Tribunal precludes individuals who are coming from a background other than the strict social service area. I say that because a lot of people who may be on welfare now were perhaps at some time in a position like yours and mine. Things change, people get into problems and things fall. So I understand poverty in the total sense and, more than that, I believe I understand some of the things that may contribute or lead to that.

I'm not poor, relatively speaking, but I understand poverty. I've known of people who are poor as well as anyone who has worked all their life at the food bank. I have enough experience to be able to determine issues, to weigh evidence and extract from that evidence the facts that relate to the issues and from those facts then to apply the relevant law and, from that, apply the law to those facts to come to a decision as to whether one merits the finding of the tribunal. So if you're saying I'm not capable of serving on this board because I'm coming from an economics background, I'm coming from the private sector essentially, then I think that's not the way I see it.

I'm not going on the board as an advocate; I'll be an adjudicator. So irrespective of whether I spent all my life as a director of the food bank, that shouldn't make any difference in how I find a particular case that comes before me, because I will have to do that based on the law of the day.

The Chair: Unfortunately your time is up, from 10:25 to 10:35.

Mr Martin: Can I use some of the government's time—

The Chair: I'll have to ask the government.

Mr Wood: No.

The Chair: The government has indicated that it is unwilling to give you—

Mr Martin: I have some other really important questions to ask.

The Chair: I recognize that very much, Mr Martin. I am at the mercy of the committee. So the questions have been concluded. Thank you very much for being with us, Mr Jacobs, and you may step down.

I will be moving sideways to ask questions, so I'll ask Mr Gravelle, the Vice-Chair, to come in here. It's a matter of parochialism in this case as it involves the Niagara district.

SUHAS JOSHI

Review of intended appointment, selected by official opposition party: Suhas B. Joshi, intended appointee as member, Niagara District Health Council.

The Vice-Chair (Mr Michael Gravelle): If I may call the next intended appointee, Dr Suhas B. Joshi, intended appointee as member of the Niagara District Health Council. Welcome. You have an opportunity to say a few words and then we will move to questioning, which we will begin with the official opposition.

Dr Suhas Joshi: I am Dr Suhas Joshi, a resident of the Niagara region for the past 14½ years. My wife is also a physician and she also works in the Niagara region. We have three children: two of them are attending university and one is attending high school in St Catharines.

Since 1987, I am practising in the Niagara region as a laboratory physician. As far as my professional practice goes, I have worked in all the hospitals in the Niagara region at one time or another, either directly or indirectly.

For the past 14-plus years, I have always been involved, both medically as well as in the community in this region. I have been the president of the Lincoln County Academy of Medicine. I was a delegate to the Ontario Medical Association council and was also on Niagara region's physician coordinating committee during the hospital restructuring time.

Presently I am the regional director and chief of laboratory medicine services of the Niagara Health System. I am also the director of MDS regional reference laboratories in Thorold, in the Niagara region.

I also provide the directorship to the St Catharines General and the Port Colborne General site. I am a member of the medical advisory committee, the Niagara regional clinical teaching program subcommittee and the human resources subcommittee of the Niagara Health System. At present, I chair the regional transfusion medicine committee and also I am the chair of the executive committee of lab medicine services. Last July, I was elected to be the chairman of the tariff committee of the Ontario Medical Association section on lab medicine.

As a physician "health care provider," I am interested in serving on the Niagara District Health Council, and I believe that if I am granted the honour and privilege of

serving on the Niagara District Health Council, my experience and leadership skills would most certainly complement and positively impact the Niagara District Health Council.

With that brief opening statement—

The Vice-Chair: Thank you very much, Dr Joshi. We will begin with the official opposition.

1040

Mr James J. Bradley (St Catharines): Welcome to the committee, Dr Joshi. You are a resident of my constituency. I'm very interested in this matter of health care in the Niagara region. One of the reasons, among others, that we have people come before the committee is that it's a great experience for members of the committee to learn a lot more about specific areas and some of the challenges.

You would know that one of the major challenges we face in the Niagara region is a shortage of physicians, particularly family physicians but also some specialties. There have been some initiatives undertaken, both at the local level, with the co-operation of the Niagara District Health Council and the direct involvement with the regional municipality of Niagara, and with some of the municipalities.

I guess I'll ask a general question, because we all need advice of people who have your experience in this regard. How on earth are we going to get a sufficient number of family physicians for the Niagara region, and those in specific specialties? Do you have any magic formula that you can share with the committee?

Dr Joshi: Certainly this is a big challenge. I have been part of discussions in the Niagara region at various committee levels. This challenge is not only for the Niagara region, it's provincial. When you look at the current state, it seems that the shortage actually encompasses general practice as well as specialists: psychiatry, surgery, anaesthesia. Several initiatives have been started, have been undertaken. Some of them are in response to the acute shortage which has arisen. I think it's nice to address the acute shortage which has arisen. However, I think one has to also do long-term planning. In any planning process, what one has to do is recruitment and retention; these are the two things. But I think they are band-aid treatments. It doesn't address the root of the matter.

For addressing the root of the matter, I think we have to see something that in fact I have discussed with some of my medical colleagues and some of the administrative people and that I would like to pursue: that we initiate a project by which the medical students from the Niagara region get into the medical programs. I don't want to call it a quota system, because I think that somehow takes away striving for excellence, but I think there are good students available in all communities. What we have to do is tap those resources, make those students go into medical programs. McMaster University is close to us. So I think if we have, for example, a reasonable number of students right from the Niagara region who go there and come back and provide the service—and I think

some program can be built around that for a four- or five-year period, at which time it will, in conjunction with the initiatives which have been taken to address the shortage, complement that.

Mr Bradley: I'm pleased to see that you want to address it, both on the short-term basis—which is an acute problem, especially when you look around at some of your colleagues and see that not all of their hair is black. A lot of their hair is grey now. Many of those individuals, family physicians and others, are working very long hours in a day to serve the people who are their patients. If I look around, I see that some of them are going to be close to retirement unless they decide to work many years beyond what would normally be retirement. So I think your suggestions are good.

I have a concern about tuition at medical school. Your suggestion is good. I would think that it's because you have to have more money to live in Toronto and so on. There was a study, I think at the University of Western Ontario—and Mr Wood may be able to help out a little later with this—which seemed to indicate that more and more now only the children of wealthy people—well, not only, but they have a greater chance of getting into medical school. It skews it around the province. It means that perhaps Toronto has far more people who would be eligible to go, and they're likely to come back to Toronto.

Do you think that we should be keeping medical school tuition at a "reasonable" level, so everybody has access?

Dr Joshi: I think making the medical schools accessible to good-quality students is more important than simply making them available to those who can afford it. In any society, one should always offer a sort of level playing field for all the players. At the same time, there are initiatives that have been taken, including by the Ontario Medical Association, where bursaries and certain financial assistance are available.

But as far as affordability is concerned, that's something that needs to be looked at. There can be a variety of ways and means to address that and make it available to those people who really are interested and who are able. We don't have to bring mediocrity into the medical system by virtue of only those who can afford it and are able to get into the system. However, those people who are qualified, who are very bright—I think that way we will make sure our medical experts have the cutting edge over technology and the ability to deliver services.

Mr Bradley: Thank you. My next question would relate to the community care access centres. As you would be aware, it is provincial policy now, and the goal of many medical systems around the world, to discharge patients at an earlier point in time and perhaps with more serious complications medically than used to be the case, the theory being that you would save money and that perhaps some would even be better off outside of a hospital setting. Psychologically speaking, some people just hate a hospital setting.

Our community care access centre has said it is several million dollars short of what it would need to be

able to provide adequate services for those leaving hospital and others who need home care. What would you be prepared to do as a member of the Niagara District Health Council to address that problem?

Dr Joshi: We have to ensure that when patients are discharged early they have enough support at home. In any situation we have to make sure the patient's condition and the outcome do not suffer as a result of cutbacks. As far as the quality and standard of health care is concerned, it should always come first, not the cost. Cost is important, but the new technology—for example, at one time the admission for the removal of a gall bladder was six to seven days; now patients can be discharged. By discharging—I can speak on behalf of my clinical colleagues—we want to make sure the patients can cope with that situation when they are discharged. My rule is—I think probably I'll make sure that the recommendations that come out of the district health council are such that would strongly advocate the interest of the patient so that the health of the patient is not in jeopardy.

Mr Bradley: We're going quickly, because we only have 10 minutes apiece, and I'm told I have one minute left, so I have a short question on cardiac care. Our information—and you would be aware of this—is that we don't have the kind of cardiac care we would like to have in the Niagara region in terms of some immediate service that you might get. A lot of people have to go to Hamilton for that service. As a member of the Niagara District Health Council, would it be one of your goals to improve our access to high-quality cardiac care in the Niagara region? We have some excellent physicians there who work very hard at it, but not always the facilities.

1050

Dr Joshi: Absolutely, 100%. There are two issues that are very important. One is oncology. We will have a radiation-oncology centre in the region, hopefully by 2005. I think an excellent cardiac centre is equally important, particularly if you look into the Maclean's report that came out and several reports that came out. Cancer patients have a life-threatening, challenging situation to cope with; they do have, however, time. But in the matter of heart, if the flow is blocked, that's the end of it. We need to have a state-of-the-art cardiac facility in the Niagara region. It's a catchment area of almost half a million population. Hamilton is almost 45 minutes away. There is not much time. We need to have a state-of-the-art facility where we can have angiograms, so when patients are diagnosed with having a cardiac condition, ischemia, where the supply of the blood to the heart is less, we need the ability to have angiography in the region, angioplasty and whatever else goes on with an extended cardiac care facility. We need it, and I'll strongly advocate that.

Mr Martin: Thank you very much. You've obviously, for this position, got a fairly extensive background. There's no question of your qualification. It's just a question, for me, of where you come from on the larger questions of priority and how we fund the health care that you've said we all deserve, and what role government

should play in that and what role, if any, the private sector should play. That concerns a lot of us here in this place. When appointments come before us, we're always concerned about where those people are coming from. So the first question is, are you a card-carrying member of any political party?

Dr Joshi: Can I preface that by saying that I'm progressive in terms of thinking, I'm democratic in my approach, I'm liberal in care and compassion and I'm conservative in using resources. Having said that, it has nothing to do with the question you asked. No, I'm not a member of any party.

Mr Martin: OK. What is your perspective on the state of health care in the province at the moment? What are the biggest issues, from where you sit?

Dr Joshi: As far as health care is concerned, the cost of health care has steadily gone up and we have been struggling all the time to provide health care by utilizing the resources in the most appropriate way. As a result, no matter which government was in power, they tried all the time to be fiscally prudent and make sure that, without compromising the quality of patient care, things could improve. As a result of that, various initiatives, including the hospital restructuring and a variety of different changes, have taken place. As a society, we have to understand and come to terms with, can we afford not to have state-of-the-art? When standards of practice exist, then certain things are expected. We have to make sure we pool our resources in the most appropriate way. We have done it in Niagara region. I think there used to be 10 hospital corporations; now we have two. Small, fragmented delivery of health care was very, very expensive. There was a lot of duplication and a lot of redundancy. As a result, following the directives of the hospital restructuring commission, there were two corporations which were saved, a lot of money has been saved, and it has been reinvested. What we need to do is use our resources well and convince the powers that be that it is a good investment when you invest in the health of your citizens.

Mr Martin: OK. We heard a couple of issues raised by the member from St Catharines. What, in your view, are the major challenges facing the communities that you will represent on this district health council from a health care perspective?

Dr Joshi: Right now the biggest challenge—I mean, there are several challenges. One is in terms of human resources.

As far as shortage is concerned, there is a human resource shortage for physicians no matter which physician you are looking for—general practice, specialist. In fact, in my own department—ours is a small but essential department. It's supporting the diagnostic departments, radiology as well as laboratory medicine. It's important, basically speaking, supporting the delivery of services. Out of eight physicians, there are two vacancies and two physicians are more than 65 years of age. One is in fact more than 70 years of age.

So human resources: physicians, nurses, technologists, no matter where you look. If in the 1990s cost was a

driving force for everything, now human resources is going to be one. We would like to limit spending money, but one issue is going to be, where are you going to find qualified people? Human resources is number one.

Number two is access to health care. I think that is very important. Two issues which I had already alluded to: oncology, or the cancer treatment, which fortunately we will have by year 2005, and cardiac. Lots of reports have pointed out that Niagara region does poorly when it comes to cardiac maladies, particularly of an ischemic nature where potentially these are lethal conditions. So these two things need to be upgraded.

The other thing is the promotion of health. We treat the ailments. We have to make sure that we actively promote health at the same time, actually take measures to prevent certain conditions which lead to the disease process.

Mr Martin: Just to shift gears for a minute, I note from 1998 to the present you're the co-director of the MDS Niagara regional reference laboratory. Is that a privately owned and run operation?

Dr Joshi: Oh, yes. It is privately run. In fact, I used to be co-director before. I have been associated with MDS Labs for 17 years, as a consultant, now as a director. I have also been involved with the public health care system for the last 20 years.

If the question is, is there going to be a conflict of interest—I don't have a conflict of interest. Maybe the question is, if there is a conflict of interest, what will I do? If there's a conflict of interest, I'll push myself aside, as probably the present chair has done, because he is representing my constituency. I'll just sit aside and let others make the decision for me.

Mr Martin: You will probably agree with me that in the area of laboratory services, the cost has been increasing quite significantly over a number of years now, and a lot of that is going to a for-profit portion of private institutions. If we're grappling with a question of making the best use of money and trying to stretch it, and this issue of laboratory services continues to raise its head, might you not find in most instances, or in a lot of instances, that you are in conflict and that your appointment may not be as obviously beneficial as you've presented here to us this morning?

Dr Joshi: That approach would be quite a wrong approach, for two reasons. Number one, I don't own that lab; I'm just a consultant and director. Number two is that presently, as you must be aware, an initiative which is called Ontario regional lab service program is being undertaken. The Ministry of Health has even supported quite actively the idea of private-public partnership. We cannot deliver in silos. We have to make sure that best practices are in place and we use our resources to the best abilities.

As far as the Ontario regional lab services plan is concerned, what the ministry is also looking at: there is going to be a single-envelope funding for lab services. There is going to be more co-operation. In the first phase, three regions have already undertaken that process,

which was actually the Ottawa region, the central-east, which is Oshawa and surrounding region, and the northwest, Thunder Bay area.

1100

Now, in the second phase, central-south, which includes Hamilton, Niagara region, Halton and the Haldimand-Norfolk area, Kitchener—these regions are also undergoing the same process. The idea is to provide umbrella funding. What we will be looking at in that, in which I am actively involved, is what is good for the patient. Ultimately, any person or any individual who has the interests of the patient at heart will be able to withstand all kinds of pressures from any groups.

Mr Martin: Again, looking at your resumé here, I see you're director of pathology, St Catharines General Hospital; director of pathology, Welland; director of pathology, Port Colborne; and you're involved with the Niagara regional reference laboratory. First of all, given all this work, how are you going to find the time to put the time that's necessary into the district health council? And even from that perspective, don't you see as well that you may be confronting some significant conflicts of interest in many of the decisions you will have to make as a district health council in the allocation of resources?

Dr Joshi: If you go to these labs and ask my technologists if they have ever seen or felt that Dr Joshi has ever come across as a person who was not serving the interests of the patient and was taking a particular side, I think you will get the answer no. I think I'm a very, very fair and honest man, full of integrity, and it has never been questioned. While I can see why you are asking the question, I can tell you with equal honesty and integrity that I have no conflict of interest whatsoever.

The Vice-Chair: Any questions from the government members?

Mr Wood: We will waive our time.

The Vice-Chair: Dr Joshi, thank you very much for being here today. We'll be voting on the appointment later in the day.

We are now going to switch positions again, Mr Chair.

MARLENE HOGARTH

Review of intended appointment, selected by third party: Marlene Hogarth, intended appointee as member, Social Benefits Tribunal.

The Chair: Our next intended appointee is Marlene Hogarth, intended appointee as member, Social Benefits Tribunal. Ms Hogarth, please come forward. As you would be aware having viewed the others, you have an opportunity to make an initial statement as you see fit, and subsequent to that, members of the committee will direct questions to you. Welcome to the committee.

Ms Marlene Hogarth: Thank you, Mr Chairman and members of the committee, for allowing me to appear before you this morning as you consider my proposed appointment to the Social Benefits Tribunal. I would consider it an honour and a privilege to be able to serve the people of Ontario in this capacity.

I am a lifelong resident of the city of Thunder Bay, a great place to live and raise a family, as Michael will attest to. I have been active in my community, church and on volunteer boards, usually working my way through the ranks to become president.

I was born into a family involved in the hospitality industry. As a result, at an early age I learned the rigours of being part of a family-owned business, including the long hours and always being on call.

I'm an elementary schoolteacher by profession, teaching full-time and part-time for many years. As a teacher, I respected each of my students for the individuals that they were. In the classroom I taught my pupils to be good listeners but, most important, I had to be a good listener myself. This is a skill needed to be an effective adjudicator.

While serving as a public member on the Ontario College of Pharmacists, I sat on various committees that were both challenging and educational. I learned to have an open mind, to listen to facts as they were presented and to make unbiased decisions according to legislation. My goal was to have members come out of the hearings knowing that I weighed the evidence before me and rendered a fair and just decision.

As a public member of the Medical Review Committee, I was elected as co-chair, the first public member to serve in that capacity.

The experiences I have had and the skills I have developed over the years make me capable of being a fair, compassionate and impartial adjudicator, and therefore a good member of the Social Benefits Tribunal. I look forward to your questions and will answer them to the best of my ability.

The Chair: Thank you very much. We commence our questioning this time with the third party.

Mr Martin: Thanks for coming this morning. You've obviously come a long way, so we'll try to honour that. First of all, in coming to this position, I've looked through your resumé and from what you've just presented I certainly recognize a level of experience that's quite significant and impressive, but there's nothing in here that indicates any background in the area of dealing with some of the people you will have to adjudicate re their case, so my level of comfort in supporting your appointment isn't quite there yet. Maybe you could share with me why you want this appointment; why it is, considering that you'll be dealing with—I don't want to be too dramatic here—life-and-death issues in terms of some of our more vulnerable and at-risk people out there in our community, you would feel qualified to adjudicate in those circumstances and those situations.

Ms Hogarth: Well, I heard about this tribunal from a member who is sitting on it—or I should say, was sitting on it when it was first the Social Assistance Review Board. This member didn't ever give exact cases but just said what a rewarding job it was. She said it was very difficult, it was very time-consuming, but it was very rewarding. As she explained the type of person you had to be to be able to sit on a board like this, to sit on a

tribunal and face different appellants who came from different walks of life, she said I had the same qualities that she figured would be good for this tribunal, that I would have something to add to it. I believe that through my whole life, through my church work, through the organizations I have belonged to, I have come across people who have had assistance at one time or another and do feel that I understand exactly where they're coming from.

Mr Martin: What sort of concrete or formal experience, background or training do you have in the area of social services, the delivery of programs or the needs of people who find themselves in need of adjudication by the Social Benefits Tribunal that would give me a level of comfort to support this appointment?

Ms Hogarth: I would like you to have a level of comfort with me in this appointment even though I do not have a degree in social service work. I don't think you need to be trained in the field of social services to have a feeling for what people need. I think that past experience and life's experiences quite often are just as important as the degree that's hanging on the wall.

Mr Martin: These issues can be quite complicated and involved. Any of us who sits around this table here will have had experience of people in front of us in our office appealing for help, appealing for some understanding re their circumstance and their issue that obviously isn't being heard or understood at a table where the resources that they need are being delivered.

This government appoints people on a regular basis to commissions and boards related to the Ontario Securities Commission and that kind of thing. I don't think for a second they'd suggest that we appoint anybody to those commissions who doesn't have some experience, knowledge and training in the areas of finance and economics. The person who came before us earlier this morning to be appointed to the same board was making the same case, that you really don't need to have any kind of definitive or formal background to be able to do a good job in this field. I would suggest that the same argument would hold here as holds in appointments to other areas of specialty where I'm sure the government would demand some knowledge or background in finance or economics. You don't think that's necessary in this instance, given that you're dealing with some very crucial and critical issues, where people's lives and ability to feed themselves and their children are concerned?

1110

Ms Hogarth: That certainly is a long question that you asked. Let me just get that worded around to the best of my ability. Remember, first of all, there is an intensive six weeks of training that you are put through, so I would hope that somewhere or other in this training some of the background that you think is required of a member of this tribunal should be given to us. Other than that, all I can say is, remember that I have worked with children who have come from all walks of life. I think that gives you a very good background as to people who might need some assistance and where they come from and the effects it has on the family.

Mr Martin: Do you have any particular political affiliation?

Ms Hogarth: Yes.

Mr Martin: Would you mind sharing with us what it is?

Ms Hogarth: I'm a member of the Progressive Conservative Party of Ontario.

Mr Martin: Thank you very much.

The Chair: That concludes your questions?

Mr Martin: Yes.

The Chair: We now go to the governing party.

Mr Wood: We will waive our time.

The Chair: They waive their time, so we come to the official opposition.

Mrs Dombrowsky: Good morning. I was interested and I believe I understood from your comments to the member for Sault Ste Marie that you first became aware of the role of the tribunal from an acquaintance.

Ms Hogarth: Yes.

Mrs Dombrowsky: Is that how you've come to apply to be here?

Ms Hogarth: Yes.

Mrs Dombrowsky: It's because you are aware of the functions of the tribunal and you had an idea that you would like to participate civically and this was something you thought you might like to do?

Ms Hogarth: Yes.

Mrs Dombrowsky: Did anyone encourage you?

Ms Hogarth: This lady did, yes.

Mrs Dombrowsky: OK. I would like to focus on the issue of workload, caseload at the tribunal and the fact that there are literally thousands of people awaiting a decision, and in many cases these are people who find themselves in situations of difficulty. Do you have any ideas or would it be a priority for you to ensure that even more cases are heard with you as a member? That would be a significant increase in workload, I would suggest.

Ms Hogarth: I've never been afraid of hard work. Anyone who knows me understands that well. I know that the chair has really been dedicated to trying to get as many cases through as she possibly could. I am available for as many hours a week as are needed, so I would do my utmost to have as many cases heard as possible. But I must say that is the chair's responsibility, because they are the ones who schedule you when, where and everything else.

After talking to the chair, she did stress the fact that they are trying to get as many cases through as possible, so therefore the decision-writing has to be done immediately following and there is not to be any straggling around. I think they really do keep you in tow to make sure you get your work done on time. But I certainly would be willing to do as much as I possibly could to make sure that the backlog is cleared up.

Mrs Dombrowsky: I respect that while it is the responsibility of the chair to do the scheduling, as a member of the committee you would certainly advocate for a schedule as heavy as possible that would accommodate the most to be heard.

Ms Hogarth: I definitely agree with that. I do not like having any type of a backlog on any committee.

Mr Gravelle: Good morning, Ms Hogarth. How are you?

Ms Hogarth: I'm just great, thank you.

Mr Gravelle: I think I have an idea of who that acquaintance is. Would it be somebody who would have previously been sitting on the Social Assistance Review Board from Thunder Bay?

Ms Hogarth: Yes.

Mr Gravelle: Would that be Evelyn Dodds?

Ms Hogarth: Yes.

Mr Gravelle: Because Ms Dodds was a reasonably well-known person in terms of her activities politically back in Thunder Bay, of course, as well.

Ms Hogarth: Yes.

Mr Gravelle: I should say that Ms Hogarth and I are friends. We're not just acquaintances; we're friends. Even though we don't share political philosophies, we have known each other for some time. It's great to see you here.

I want to ask the same kinds of questions, though, if I may. I think the changes that have been made to the system have made it very difficult for people. We still see a lot of people who are, as Mrs Dombrowsky pointed out, appealing. Particularly on the Ontario disability support program side, the truth is that the vast majority of people are initially turned down and they end up going through the Social Benefits Tribunal. That concerns me a great deal.

Are you aware of the fact that's one of the reasons why the caseload is so high and, if so, does that concern you?

Ms Hogarth: It would concern me, but no, I'm not aware of that. I've had background information from what I've been reading, but I did not realize that it is the social disability part of it that is more backlogged than the other side, the Ontario Works side.

I know it would be a hardship for these people, but remember I'm there just to follow the legislation. I'm not that to make the rules and to make the policy. I just do what I'm supposed to be doing.

Mr Gravelle: But did you use the opportunity when you were talking to Ms Dodds about this to ask her about how the process had gone? My understanding is that, quite frankly, there is a higher number of cases that are actually overturned than there were before, which leads one to think that the quick turndown or the automatic turndown is not a good idea.

You're making people wait unnecessarily and I think suffer and a lot of the appeals actually are successful, which does suggest something. But did she talk to you at all about that? I would think maybe she would have briefed you.

Ms Hogarth: No, I'm sorry. I talked basically to the chair about those types of things. All I know is that I'm not responsible to make the legislation; if I were on this board, I just have to follow the legislation. Therefore, whatever I feel has nothing to do with the responses that I'd be giving.

Mr Gravelle: I want to make one more run at something. I do want to ask your opinion of something, if I may, and maybe you'll give me the same answer. I want to bring up the issue I brought up earlier about people who obviously are in the correctional system and who come out of the correctional system. The person who called me from the John Howard Society is Ambi Chinniah, who is from Thunder Bay and runs the John Howard Society. He's not arguing that people should be receiving social assistance while they're in prison, but his concern is that when they do come out, to have to wait for assistance is obviously, as he described it, a real prescription for disaster in that people come out and are more likely to reoffend if they come out with nothing.

Do you have some thoughts on that, that at least there should be an ability for the system to go in and help people, so that when they are exiting from the correctional system they will at least not be left in a position where they have absolutely no means of support and have to wait a certain period of time? Does that concern you at all? I ask it again because Mr Chinniah is from Thunder Bay and you and I are also from Thunder Bay, so I just wanted to try to get your thoughts on that at least. I don't think that would be inappropriate for you to comment on it.

Ms Hogarth: I don't think it matters if you're from Thunder Bay and coming out of the prison system there, or if you're coming out of the prison system in Kingston or wherever. I'm sure there are programs in place to help these people, and I don't think it's necessarily the Social Benefits Tribunal's position to have a position on this.

As you know, it doesn't matter what my opinion is, if they should have all the help in the world or if they shouldn't have any help. My job is just to follow the rules and the regulations and to enforce them, and to make sure that everybody has a fair hearing so that they leave that hearing knowing I have listened to them intently, that I have weighed the evidence and also, further to that, that I will write a decision up that they will be able to understand and not necessarily in legalese language which you know, as well as I do, no one can understand.

Mr Gravelle: But I think it is important or valuable for you to have an opinion on it, and I suspect that you do have feelings on it, which I don't think would be inappropriate to share with the committee. Again, you're quite right about whether it's Thunder Bay or Kingston or any other parts of the province; it's just that it was our own, the executive director of the John Howard Society in Thunder Bay, who addressed the concern to me. I certainly do want to follow it up with the appropriate authorities, and I thought I'd take advantage of the opportunity this morning to ask your thoughts on it.

1120

Ms Hogarth: Are you asking me again?

Mr Gravelle: I guess I am.

Ms Hogarth: Well, would you just ask the question? I can't remember it now.

Mr Gravelle: I take it your position is that you will be as fair as you can, but you don't wish to express your

opinion on any of the policy changes or decisions that have been made by the government.

Ms Hogarth: That's right, because it's not my responsibility to make the legislation.

The Chair: I believe that concludes the three parties' questioning. Thank you very much for being with us, Ms Hogarth.

Ms Hogarth: Thank you very much.

The Chair: I just want to warn the Vice-Chair that I'll be leaving the chair in a moment, but before I leave the chair I understand there's a request that we deal with the three appointments that have been done so far. Is it correct that there has been that request?

Mr Wood: There was, which I agreed to, until—we expected someone here who hasn't arrived yet, so I guess we can have the discussion but we're not in a position to have the votes. I don't know whether that's going to get us anywhere. We may have to put it over until 1.

Mr Gravelle: I was the one who made the request, Mr Chair, because I have something I have to do right at noon, but let's carry on. If that's the case, Mr Wood, let's carry on to the next appointment and we'll do them all. I'll make the adjustments I need to to make sure I'm back here for the vote at noon. Is that OK?

The Chair: Thank you very much. We will continue, then.

Mr Gravelle: If I may, could we do all four at 1 o'clock? Mr Martin, would that be OK?

Mr Wood: We would need some guidance as to how long this is going to take. Bear in mind that we've got people arriving at 1 who think they're going to make a presentation.

Mr Gravelle: I'll make a point of being back here so we can do it at the end of the next—I'll be back in 20 minutes, if that's all right.

The Chair: That is certainly fine.

Mr Gravelle: I'll make adjustments so we can do that before we break for lunch.

I'll ask Ms Dombrowsky to assume the chair, then.

The Chair: I ask Ms Dombrowsky to take the chair, since I will want to direct questions regarding the Niagara District Health Council.

LINDA CLOUTIER

Review of intended appointment, selected by official opposition party: Linda Cloutier, intended appointee as member, Niagara District Health Council.

The Acting Chair (Mrs Leona Dombrowsky): The next intended appointee is Linda Cloutier, who is the intended appointee as member of the Niagara District Health Council. Good morning, Ms Cloutier. Welcome. You have an opportunity to provide some introduction to members of the committee before you receive questions. If you'd like to begin.

M^{me} Linda Cloutier : Thank you. Bonjour à vous tous. I'm going to start in French and finish in English.

J'aimerais en premier lieu vous remercier de l'opportunité que vous m'offrez d'être ici ce matin ainsi

que du temps précieux que vous m'accordez. Je dois vous avouer que je suis un peu surprise de me retrouver ici avec vous aujourd'hui. En effet, comme vous pourrez probablement le constater avec la date sur la lettre de présentation jointe à mon curriculum vitae, j'ai exprimé un intérêt à faire partie du Niagara District Health Council en mars 1998. Au printemps 1999, on m'a convoquée pour une entrevue et une personne représentant le ministre m'avait alors indiqué à ce moment que le processus était assez long. Je peux vous assurer que ce fut un moment de grande surprise lorsqu'en décembre dernier, on m'a jointe par téléphone pour m'inviter à paraître devant vous, le comité permanent des organismes gouvernementaux. Une excellente leçon de patience et de persévérance, me direz-vous. Alors, je me présente.

Mon nom est Linda Cloutier. D'aussi loin que je puisse me rappeler, la santé a été au coeur de mes préoccupations professionnelles et personnelles. Vous avez sans doute noté que je suis à la fois technicienne ambulancière et infirmière, et que je possède deux baccalauréats, l'un en sciences infirmières et l'autre en arts, avec une majeure en éducation, ainsi qu'une Maîtrise en éducation. En fait, je travaille présentement à compléter ma thèse pour une seconde maîtrise, cette fois en service social.

J'ai été embauchée par le Collège des Grands Lacs en 1995, et nous avons choisi, ma famille et moi, de venir nous installer dans la belle région du Niagara. Dès notre arrivée, nous nous sommes sentis à l'aise et chez nous. C'est pourquoi, lors de la fermeture du campus à Welland en 1999, nous n'avons pu nous résigner à quitter la région pour venir nous établir à Toronto. J'ai donc depuis les trois dernières années appris à faire preuve de grande patience dans mon aller-retour Welland-Toronto-Welland.

Depuis plus de 13 ans, j'ai travaillé dans différents milieux, hospitaliers et autres, au Québec et en Ontario. Tel que j'ai indiqué précédemment, j'ai occupé depuis les six dernières années un emploi de professeure-coordonnatrice au Collège des Grands Lacs. En plus d'avoir enseigné les disciplines du nursing, du service social et, à l'occasion, de garde éducative à l'enfance, j'ai occupé un poste d'intervenante en action sociale et en counselling à temps partiel au Centre de santé communautaire du Niagara. Je crois connaître assez bien les besoins de la population francophone de la région du Niagara. J'aime offrir un service direct à la clientèle et rester près des gens, de leurs besoins et de leurs aspirations.

Over the years I have volunteered to different organizations. I have been an instructor for St John Ambulance, meeting with all grades 1, 4 and 8 in the French schools in Welland and Port Colborne's territory. I am also a past member of the board of governors for the Centre de santé communautaire Welland-Hamilton-Wentworth. I have been a member of the francophone senior services community advisory committee, which led to the creation of the Centre de jour at the Foyer

Richelieu in Welland. In 1998, I occupied the position of president of the school council at the Nouvel Horizon elementary school.

People I have worked with me describe me as a dynamic, open-minded, self-motivated, self-directed, dedicated individual, always welcoming new challenges. I'm a team player and I enjoy the intellectual stimulation required to solve problems. Throughout the years I have developed an interest in helping people reach a better understanding on issues related to their health as well as their well-being in general.

In closing, I will be delighted to answer any questions you may have.

The Acting Chair: Thank you, Madame Cloutier. We will begin with members from the government.

Mr Wood: We'll waive our time.

The Acting Chair: Then we will go to the members of the official opposition.

Mr Bradley: Welcome, Madame Cloutier.

As members of the committee will have noted in the initial remarks, we have a significant francophone population in the Niagara region, particularly in the city of Welland and the city of Port Colborne, though also throughout the region. One of the areas where all provincial governments over the years have tried to make an effort to accommodate the needs of the francophone community has been in providing services. Do you see any specific areas where an enhancement of those services or an improvement to those services might be necessary?

Ms Cloutier: I believe that the lack of doctors is a big issue for francophone and anglophone people, but probably a little bit more for francophones. I have lived in the Niagara region since 1995, and I was fortunate to be able to find a French doctor, but there are not many of those. I think that for people who are just arriving in the region, coming from Quebec or some parts of New Brunswick, it is a difficult task to be able to find a doctor who speaks your own language so you're able to express yourself and explain whatever problems you might have.

Mr Bradley: A second component of that—and I asked Dr Joshi, who was with us earlier, about this—is the access to medical schools and the block to that for those who are of modest income or financial background. I think of northern Ontario, where there are a lot of people of a francophone background. The city of Timmins would be approximately 50-50. In the city of Sudbury, somewhere in the neighbourhood of one third of the population would list its mother tongue as French. If the tuition is too high, it would seem to me that people from northern Ontario, at least a lot of people of northern Ontario, and other places where there would be a significant francophone population, wouldn't have the same opportunity as people from Toronto, for instance, to afford to go to these medical schools. Do you see this as a challenge and do you think that tuition is a significant block to students going to medical school?

1130

Ms Cloutier: Yes. Finishing my masters, I can tell you it's quite expensive; I'm finishing at Laurentian. In

the readings that were given to me, actually, there was some information given about McMaster trying to make partnerships with different hospitals in the Niagara region, to try to bring some of the students in McMaster. I don't know if I'm answering the question properly.

Mr Bradley: No, you are.

Ms Cloutier: I think some of the students from Toronto or from McMaster, the Hamilton region, if they're training in the Niagara region, will see how things work there and that might be an incentive for them to be able to come. I think there is some money also that has been allowed by—I'm not sure. It was \$200,000 that was given by the medical students' association, something like that. So that might help. Other than that, I think there is something happening at Laurentian University with a program for medical students that's going to be offered there very soon. So I think it is being addressed.

I just want to say that I don't think the issue of filling all the positions—there is a coordinator who was hired in June of last year to try to find as many doctors as possible for the region.

Mr Bradley: Yes; that is, we would recognize, a major problem. But I'm going to go to another one because we have such a short period of time, another area of interest to you.

You have had some experience with emergency care, with, shall we call it, ambulance care. We have a major problem in the Niagara region. The responsibility for land ambulances was downloaded to municipalities. My government member friends would say it was transferred and there was a switch of responsibilities. The regional municipality of Niagara has some problems with the funding of it because of unanticipated costs because of provincial regulations which they must meet, and they should meet those. But there's also a problem with ambulance dispatch services. The government of Ontario has a report sitting somewhere right now on ambulance dispatch services because there have been some major problems.

Is this an issue that you would be raising, number one, I guess I'll ask. I don't want to make it too complicated a question. Is this an issue that you would be raising? And second, do you believe that the dispatch service would be better located in Niagara than in Hamilton?

The reason I say that is there have been some serious operational problems, as you may be aware, with dispatching from Hamilton. There is a report, presumably with recommendations, sitting somewhere. I wrote a letter to the Minister of Health about this matter and there was an article in the St Catharines Standard that did not make reference to my letter; I'm sure some editor must have killed that somewhere along the line because I spoke to the reporter for 15 minutes about this matter. So I'm sure that reporter would have written something about it but it just didn't quite make it to the final story.

That's a long way of saying, do you think it would be better to have the ambulance dispatch services in Niagara than in Hamilton, serving Niagara?

Ms Cloutier: I was not aware of the problem but that's definitely something I would be interested in look-

ing into, because I worked on the ambulance, because I worked in the emergency room. So I think to keep the people as close as possible to the action is what works, if that would be to have the dispatching done in Niagara. I would have to read and look into it, but that's something that I would look into.

Mr Bradley: The next question you may have a difficult time answering and if you didn't give as full and frank an answer as might be the case, I would understand it. You would know that the community care access centres are going through, shall we call them, changes at the present time. It said in the Kingston Whig-Standard, a reputable newspaper, I'm sure—Mr Johnson reacts in agreement, I'm sure. It said in there that to get new members to replace some of the present members who are resigning from the community care access centres, they were asking the local Progressive Conservative association to submit names. Would you think it would be wise to find as wide a group of people as possible to solicit people for those boards rather than simply the Progressive Conservative association, or is that a question you can't answer?

Ms Cloutier: Actually, I think it's a question I cannot answer. I'm sorry.

Mr Bradley: I accept that. That's probably true.

Another question I would have some interest in is that of combining of hospitals and again the community care that's needed as a result of the combining, the closing of beds and so on. What do you think can be done to improve community care—that is, home care—in the Niagara region?

Ms Cloutier: I guess there's a lack of doctors but there are also a lot of professionals who could give a lot of help in the community. I'm referring here to nurse practitioners, to different nurses. I think there are a lot of different alternatives that have to be looked into to be able to offer the proper services to the community.

Because I have worked at the santé communautaire, I think it's a good idea to have a lot of different professionals from health care and social services grouped together to be able to refer somebody in a fast, effective way. That would probably be something.

The Acting Chair: You have one minute left, Mr Bradley.

Mr Bradley: The last question will be on the position of the Niagara District Health Council as it relates to a smoking ban in public establishments. I'm reading an article that says they hedged on it. It says, "Health Council Hedges Support for Smoking Ban." Since smoking is identified as such a major problem in terms of health care, do you think the Niagara District Health Council should be advocating in favour of ending smoking in public places where the public has access?

Ms Cloutier: Absolutely.

The Acting Chair: We now move to the member from the third party.

Mr Martin: Good morning. How are you? There's no question, in my view, as to your qualification for a job of this sort. The only question I would have initially,

though—and I have a few others—is, why would you want to spend the kind of experience and knowledge that you have in this way as opposed to being perhaps more hands-on in some other organization that is actually doing something in the region to improve health care delivery?

I know in my own area the district health councils up until 1995, and for a long time before, were really active advocates on behalf of the community, bringing people together, looking at things. The kind of exposure and work that they were doing was phenomenal. Since the change to the more regional district health councils now, they have disappeared. You don't hear, in our area anyway, of them at all. Every now and again a report comes out, I guess, and even those aren't as widely shared as we used to get. Given that—and maybe you can comment on that—why would you want to spend your time there?

Ms Cloutier: On the hands-on part, I was working in the health care centre and I was working in the Collège des Grands Lacs, and I'm being paid for that. That's one part. The other part: I think the volunteer part is quite important. It's more than just taking part in the francophone community of Welland and the region. I think it's more just to give back. I have done my master's at Brock and I have lived there. I think it is natural for me to give back to the community. When I was reading about the mandate and everything—you have to remember that I applied in 1998 for this, a long time ago—it seemed like something that would suit me and that I was interested in learning about. I understand that there's training also being offered in the beginning.

Mr Martin: I guess the point I'm making is that when you look at the mandate of the health council, it's all advisory to the minister. Basically, in my view, and this is quite cynical, rather than taking a gun to the heads of the DHCs in the various regions who, like any effective advocate on behalf of health care in a region, will challenge the government of the day—I know when we were government the district health council in the Soo was forever in my face about all kinds of things. It was good, because it challenged me to rise above and work with and try to come up with answers and bring people together. Nowadays, the district health council is a puppet of the government in many ways, if that even. The question was, why would you want to participate in that?

1140

Ms Cloutier: I guess I was not aware of all that. I'm young and I still hope that there's hope in this and that we can make a difference. Even though it's an advisory committee, I think there is still some input, that the community has to be able to be heard, and that's one way of being heard.

Mr Martin: I noted in your answer to the member for St Catharines that you're doing your master's at Laurentian.

Ms Cloutier: Actually, my second year.

Mr Martin: That's where I graduated from in 1974.

Ms Cloutier: Really?

Mr Martin: A fairly long time ago.

Across the province and in the area taken in by the district health council that you're applying to be part of, there's an issue of how you deliver emergency care and of attracting doctors. Perhaps you could enlighten us here, and it might give me some understanding of your understanding of what the issues are.

Sudbury seems to have been fairly successful. Sault Ste Marie is really struggling right now; we're actually in crisis mode. As of February 1, it has been announced by the hospitals, unless something changes, there won't be a doctor on duty for the midnight shift, which is critical, because they don't have the doctors. Sudbury has been able to attract doctors and apparently a significant number of doctors willing to work in emergency. Have you been following that at all, and could you enlighten us as to why Sudbury has been so successful when other areas don't seem to be able to get the job done?

Ms Cloutier: I'm not sure why, but I think we still focus too much on the fact that doctors are the only professionals able to give the services. There are a lot of other professionals. Once again, the nurse practitioner has an expanded role that could be used if the doctors cannot be found, at least for now. I think there are other alternatives that we have to look into. For sure nurses are not going to replace doctors, but there are a lot of walk-ins, for example, in emergency who could be seen by a nurse practitioner.

The shortage of doctors is something that has been going on for a long time. Sudbury was probably able to offer better incentives because it's in the north; I'm not sure. But we have to look into it.

Mr Martin: To comment on your comment on the nurse practitioners, I tend to agree with you that we have a number of health care professionals who are under-utilized. But, as a doctor shared with me last week in the Soo as we grappled with the issue in our area, when somebody goes to emerg they don't want to see a nurse or a nurse practitioner; they want to see the doctor. It's a mentality that has to be changed, I guess, in people.

Ms Cloutier: But I guess we still think of emergency as big accidents. A lot of people who still go to emergency will go to emergency either because they don't have a family doctor or they have to see somebody fast. It's not always emergency. Emergency has two subsections, I feel. It's not always heart attacks and something that has to be dealt with.

Mr Martin: But sometimes it is.

Ms Cloutier: Triage has to be done; that's what I'm trying to say. Triage has to be done in emergency.

Mr Martin: Yes, but sometimes it is—

Ms Cloutier: Yes, of course, when it is.

Mr Martin: —so it's important to have at least one doctor available quickly if it is a heart attack. Our problem in the Soo is that we're not going to have a doctor on duty on the graveyard shift—no pun intended. That's maybe what it's going to become if we don't do something about it. Thank you very much.

The Acting Chair: That would conclude the questions. We thank you very much for your participation, Madame Cloutier.

The Chair: Thank you very much for the procedures today. We now move to deal with the appointments themselves. I'll be looking for motions in a moment for each of the appointees, and then there will be a discussion and vote. The first was Lloyd Jacobs.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment of Lloyd Jacobs, intended appointee as member, Social Benefits Tribunal. Any discussion, first of all?

Mr Martin: Yes. I will not be able to support this appointment, given both the lack of experience, training or involvement in any of the social services field by this gentleman and, secondly, his lack of understanding of why it might be necessary to have that kind of background and understanding in this very critical and crucial work of determining whether people who are most at risk and most vulnerable in our communities deserve or qualify for the most basic of supports. So I'll be voting against this appointment.

The Chair: OK. We also have Mr Gravelle.

Mr Gravelle: I also will be voting against Mr Jacobs's appointment. He made some comments during the interview that did concern me. The fact that he indicated that so many people were turned down on an initial basis was probably justified gave me some concern, simply because I think someone in this position certainly should not be making that assumption. Obviously, the Social Benefits Tribunal's job is to give those people who are appealing the opportunity to explain why they feel the decision is unfair. Perhaps he didn't mean to phrase it the way he did, but he did say that, and that certainly gives me concern. So I also will be voting against Mr Jacobs. The government members might have some concerns about those comments as well.

The Chair: Any further discussion? If there is no further discussion, I am going to be calling the vote. All in favour of the motion?

Mr Gravelle: Is that an official vote, Mr Chair?

The Chair: It's an official vote, yes. Again, I'll call it: all in favour? Opposed? The motion is carried.

Mr John Hastings (Etobicoke North): Is that an official vote?

The Chair: That is an official vote.

Now we have Dr Suhas B. Joshi, intended appointee as member, Niagara District Health Council.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

The next is Marlene Hogarth, intended appointee as member, Social Benefits Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Discussion?

Mr Martin: Again I won't be supporting this appointment, for somewhat the same reason as in Mr Jacobs's case. I don't think Ms Hogarth has the background, experience or training to bring to this very critical work of providing the basics where some of our most vulnerable and at-risk citizens are concerned. We have here a second obviously politically connected Conservative member being brought forward to this critical tribunal.

We know, from as late as yesterday, the attitude of this government where the most vulnerable and at-risk are concerned: we whack them, and when they show any life at all and get up, we whack them again. I'm not going to be party to appointing members of this party to those very critical decision-making bodies concerning the livelihood of people in my own community who just need to be helped in a time of some difficulty, so I'll be voting against this.

There was one other comment I wanted to make. It's interesting that Ms Hogarth comes to this appointment from a previous appointment to the pharmacy commission overseeing delivery of pharmaceutical care, now to the tribunal. If you remember, her mentor Ms Dodds came here just a short while ago from the tribunal. They both seem to be on the same sort of professional track here. I think it's only right that somebody, at some point, challenge that kind of behaviour as well. So I'll be voting against this, and I'll be encouraging others to do the same.

Mr Gravelle: I will also be voting against Ms Hogarth's appointment, despite the fact that I do know her, and she's a friend and she's a good person. I think the fact that she was reluctant to give her opinion on a number of issues that I suspect she has very strong feelings about—all I can certainly say is that with Ms Dodds being in that position from Thunder Bay, and having a very strong position publicly on the issue of people who are on social assistance, and then followed by Ms Hogarth, there are so many people whom I would like to recommend to the government, whom they might want to consider appointing from Thunder Bay, some people who perhaps can provide a better balance.

Ms Hogarth took great pains to say that she will be very fair in terms of her dealings with the people who come forward for an appeal. But I do think that ultimately we're left in a position where people who have supported, perhaps in a very strong way, the government's decisions related to social assistance over the last six years may be inclined to not be as sensitive, perhaps, as I think they should be. So as I say, despite my personal relationship with Ms Hogarth, I will be voting against it as well.

The Chair: Any other comments, discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

The next appointee is Linda Cloutier, intended appointee as member of Niagara District Health Council.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion?

All in favour? Opposed? The motion is carried.

The committee will reconvene at 1 pm in this room. We're now adjourned.

The committee recessed from 1154 to 1305.

MARK DUGGAN

Review of intended appointment, selected by official opposition party: Mark Duggan, intended appointee as member, City of Kenora Police Services Board.

The Chair: I'll call the committee to order. Our first intended appointee this afternoon is Mark Duggan, intended appointee as member, City of Kenora Police Services Board.

Mr Duggan, you may come forward. I know you would be aware of the procedure we follow of having the nominee make a few initial remarks if he or she sees fit and then questioning by the committee. Welcome to the committee, sir.

Mr Mark Duggan: Thank you, Mr Chair. Thank you for saying Dug-gan and not Doo-gan. I've heard it both ways many times.

I would like to begin by thanking you for this opportunity to be a candidate for the Kenora Police Services Board. In my opening remarks I would like to explain to the standing committee on government agencies who Mark Duggan is and why I would be a good board member.

I am a born-and-raised resident of Kenora, taking all my education in Kenora except for a two-year college diploma in hotel management, which I took at Confederation College in Thunder Bay from 1973 to 1975. In 1975, I made the decision to return to Kenora, get married and raise our two children, who are 22 and 21 years old respectively. Since that time I've been very involved in our community, assisting to improve the quality of life.

I'm a very strong organizer and a communicator, which I feel is an asset for the Kenora Police Services Board.

It's important that you know I was on the police services board from 1996 to 1999. I have taken the orientation training for members and I do have three years of experience. While I was on the board, I sat on the personnel subcommittee and the negotiations committee. I stepped aside by choice in 1999 when the three towns, Keewatin, Kenora and Jaffray Melick, became the city of Kenora. At the time, the government of Ontario wanted to have a representative from the Keewatin Police Services Board, so that the transition of the two boards to one would be a smooth one.

In 2002, we are a city that is working very well with the Kenora Police Service and the Ontario Provincial Police under one police services board with five board members. We have some very large issues to face in our future, and there's a need to have a strong, experienced board in place to deal with them.

One very large issue is the new adequacy and effectiveness standards regulation that came into effect

January 1, 2001. This will take extensive consulting with our partners. The role of the board is to establish policies and set objectives and priorities with our police chief, and I am very aware of this. I am aware of the powers of the board and the guidelines we must follow so there's no interference in its operation.

My involvement in the community is varied. I was a town councillor from 1989 to 1991, a hydro commissioner from 1991 to 1994 and have been back on the hydro commission since 1998. I've been a director of the Kenora Chamber of Commerce, a member of the Kenora Rotary Club since 1985 and president in the year 1993-94, and also a member and chair of Kenora non-profit housing from 1989 to 1994. These are just a few examples of how Mark Duggan wants to give back to the community he lives in.

I am presently the general manager of the Best Western Lakeside Inn, which is the premier hotel in Kenora. You may ask if I feel there is a conflict being a police services board member and serving alcohol. I am pleased to say that our record with the liquor inspector speaks for itself. There are no infractions on our record, and we are recognized as a respected property.

You may also like to know that some of our guests who have stayed with us include the Prime Minister of Canada, the Premier of Ontario, the Lieutenant Governor of Ontario, leaders of many political parties and many of the MPPs in this room and outside this room also.

1310

We are a very recognized hotel and we are also the only union hotel, with 75 outstanding employees. I mention the fact that we are a union hotel because as a police services board member we are involved in budgets and we need an understanding in financial statements, negotiations, hiring, evaluating, communicating, attending and chairing meetings. I have a great deal of hands-on experience in many of the same related police services board responsibilities as the general manager of the hotel.

This is just a quick summary of who Mark Duggan is. I thank you very much for the opportunity of coming down from Kenora and bring you greetings from the first city of the province of Ontario from the west.

The Chair: Thank you very much, Mr Duggan. I will ask the members of the committee if we should invite other hoteliers to equally advertise. You have province-wide advertising.

Mr Duggan: If this was a Rotary meeting, I'd probably be fined.

The Chair: We begin our questioning in this case with the official opposition.

Mr Gravelle: I'm going to make a pitch for the Lakeside Inn as well. It's a beautiful place. Kenora's a beautiful community, of course. For those who are watching on TV, the Lakeside Inn overlooks the water and it's an amazing sight, particularly in the summer with the sun going down.

Mr Duggan: Any time.

Mr Gravelle: Any time, but remarkable when the sunsets are gorgeous. It's beautiful.

Mr Duggan, I do want to ask you a few questions. You made reference to the effectiveness and the adequacy standards that are set up, which I think some smaller police forces are certainly having some difficulty with. Is that part of what your concerns are, that it's more difficult to achieve them with a smaller force, or a force of your size, or is it something else altogether?

Mr Duggan: We have a challenge in front of us in Kenora to meet some of those standards, yes. Our police chief and the force are doing that. One challenge that we had to meet the standards was to develop a containment team. When I was previously on the board, we looked at that expenditure long and hard and found there was a need to meet that standard. I think the Kenora Police Service is working very hard to meet those standards and at this point, we're not having any difficulty doing it. We have extreme co-operation, not only from the members of the force, the Kenora Police Service, but we have a unique situation in being very close friends of the Ontario Provincial Police, who share our responsibilities.

Mr Gravelle: One of the interesting and very positive realities of Kenora is that in the summertime Kenora becomes a bigger place because of the extraordinary number of people who visit, for a number of reasons. You have visitors year-round, of course, but you have more people from Victoria Day to Labour Day. I presume that changes to some degree the challenges, or at least it increases the challenges of the police force. Is that a fair statement to make?

Mr Duggan: Yes. The population right now would be about 16,000 people. On July 1 through August 1, it would be close to 80,000 people.

Mr Gravelle: Exactly.

Mr Duggan: We have a lot of visitors, tourists, who come to our area. Kenora is a service centre for a lot of northwestern Ontario, so it brings in a lot of people, which is good for the economy but also puts a strain on some of the infrastructure.

I think we're handling it quite well. Our force has worked very hard and our chief and deputy are doing an excellent job with the recruitment of the force. Their levels are 31 officers at this time, so they're in good shape and they're meeting the needs right now.

Mr Gravelle: Would you be arguing probably that the force could be larger, though? There are great challenges obviously on a fiscal basis for all municipalities that have their own police forces.

Mr Duggan: If the chief were sitting here today, he'd want more officers. What chief wouldn't? What there is now is better communication and coordination of efforts between the Ontario Provincial Police and the Kenora Police Service. The Kenora Police Service, just for the information of the committee, takes care of what was the old town of Kenora and the Ontario Provincial Police take in the jurisdiction of the old towns of Keewatin and Jaffray Melick and the surrounding area. So there is some excellent coordination that's going on right now and we don't foresee a problem at all in that.

Mr Gravelle: The amalgamation is working, I take it. It sounds like you're saying it's working. Are the

residents of the former communities of Jaffray Melick and Keewatin, generally speaking, pleased to be part of the city of Kenora?

Mr Duggan: Yes, they are. Kenora now has its act together as a city. I was explaining earlier that the economic development in our community is taking off quite nicely. Next week, Weyerhaeuser Trus Joist is taking applications for a new plant—

Mr Gravelle: That's very exciting.

Mr Duggan:—a state-of-the-art plant that's coming. They're expecting 5,000 people to apply for 200 jobs, and I think that's just an indication of all the spinoff that's going to occur in our community. With the lake being what it is, I think a lot more people are going to explore Kenora and develop some economic base there.

Mr Gravelle: I wish you luck. I'm sure you will be a superb addition to the police services board. Give my best to Mayor Canfield, if you would.

I know my colleague Leona Dombrowsky would like a question or two as well.

Mrs Dombrowsky: Good afternoon, Mr Duggan. I was interested, when I read the background, to learn that in your community, as well as in mine and many others in the province of Ontario, nuisance bears are quite an issue. First of all I'd like to understand from you, do you believe that nuisance bears are a Ministry of Natural Resources issue or a police issue?

Mr Duggan: It's interesting how that got into the folio, given that there are so many other things that probably could have been there, including our recent visit of the Hells Angels. I think that spring bears, any bear that is causing a disturbance in a community—and I live in a residential area with a backyard on to the bush. When I call for help, I would like to have anybody who can respond to it as fast as possible. So when it's in a residential area, my suggestion is that the police need to respond. We're in a school area in the home I live in. I think that the police do have a role in responding, and they have responded. Why that's in that package—that's not one of our bigger issues in Kenora.

Mrs Dombrowsky: Certainly it is a big issue, though. It does go to the safety within communities. In communities in the part of the province where I live, we do have nuisance bears actually walking down main streets. The frustration, of course, is that when individuals phone the local police, they would say that they don't have the resources to deal with that particular issue.

Mr Duggan: I can tell you that in Kenora, when there's a bear in or around any residential area, the police do respond and act in the safety of the community first and get rid of the problem.

Mrs Dombrowsky: They actually remove the bear?

Mr Duggan: Yes. They work very closely with the animal control officer for the city of Kenora, who is very busy during that time of year. Natural resources takes care of the jurisdiction around the outside of Kenora and so far it has worked out very well with the animal control officer. Tranquilizer guns are readily available and the response time is immediate. Traps in Kenora are fre-

quent, depending on what area of town you live in. But it hasn't been as bad a problem this year as it was last year.

Mrs Dombrowsky: I could relate some stories from my part of the world that would not be similar. It continues to be a significant problem and does threaten the safety of individuals in many communities across Ontario.

You have brought to this conversation the topic of biker gangs. Is that something that is new to your community? Do you have the sense that you have the resources to deal with those issues?

Mr Duggan: We had a visit last July of the Hells Angels. They were handled very well by, again, a co-ordinated effort between all police forces. There were no incidents in Kenora. They came, they played and they left. They were checked at the border and they were monitored while they were in Kenora, and there were no stories or front-page problems at all during their stay.

Mr Gravelle: I just want to pursue, actually, the question Mrs Dombrowsky asked about the bears in the city. I wasn't going to ask that because we had an opportunity to discuss it beforehand. But I know that one of the frustrations certainly in the city of Thunder Bay is that with the downloading of responsibilities, or the lack of clarity as to who is responsible for it, it certainly is an issue in Thunder Bay. There was a concern about the fact that there were more nuisance bears running around.

1320

Is it not a concern, at least in terms of the funding—obviously, if the municipal police force is doing the job, which I think is encouraging to hear—is there not some frustration that there should be at least some separate or appropriate funding for it? That's one of the concerns that certainly has been expressed in Thunder Bay and many other communities in the province. I maintain that this should still be a responsibility of the Ministry of Natural Resources, but I guess you don't agree with that. My question is related to that, that it is a responsibility that has been added on, but maybe you don't feel that way.

Mr Duggan: My point is that when the problem comes into the city limits, then I think it's up to the city and its departments to take care of the problem. We have a very extensive animal control office, and they have enough staff assistance to take care of the problem in a quick, professional way. So we haven't really had that major problem, because of the efficiency of this person who is also under the police services board.

Mr Martin: That's interesting, because in my community they have to contract with a private operator who has some traps and goes out and tries, to the best of his ability—one person—to deal with a nuisance bear problem that is a problem not only in Sault Ste Marie but in Algoma, where farmers, for example, are taking control into their own hands and going after these bears because they are threatening their animals. In some instances they're shooting them but not killing them, and then you've got a mad bear running around. It is a huge problem.

First of all, you had a stint with the police services board and you had a chance to take a look at other things you might want to do with your time and your life at this stage. Given the challenges we face today in policing, why would you choose to do this again and want to do this?

Mr Duggan: I'm very interested in my community, where it's going and where it can go in the future. I think my history since 1975 has been to give back to the community as much as it has given to me. I enjoy the quality of life in Kenora. I made a decision to go back to Kenora to raise my family and make a living. I just feel that the Kenora Police Services Board was something that I enjoyed for three years. I could have stayed another three years, to do a six-year term if I were reappointed. I was enjoying it, but I saw an opportunity. As I said earlier, Keewatin had their own police services board and Kenora had their own police services board. They were still going to have a board of five and they were looking for someone to step aside and let in one of the Keewatin board members. I took a look at what I was doing personally in the hotel field and where we were at, from a perspective, and made a judgment call that I would step aside. I volunteered.

At this time of my life, when there is another opportunity—I enjoyed it; I think that I can add a lot to the board. As I said, negotiations and things that it takes to run a hotel are very similar to the board responsibilities. I can add that expertise to the board table and assist the chief, the deputy and the chair much like I do in the hotel business.

Mr Martin: What are the biggest issues for policing in your area?

Mr Duggan: The biggest issue for us is the workload of the officers. Because of the influx of visitors to Kenora, there is a workload situation that needs to be managed. The other concern we're having is keeping up to the standards for a smaller municipal force.

Right now we have a situation, with the passing of Bill C-59 in the summer of 2001, where we have an opportunity of leaving things as status quo, having the Kenora Police Service service just Kenora, and with the co-operation and understanding of the Ontario Provincial Police, they can take care of Keewatin and Jaffray Melick and the surrounding area. So it's a bit unique. Sudbury, Timmins, Caledon and Kenora are about the only four that have that opportunity, and right now it's working very well. There's excellent communication, sharing of resources, sharing of manpower. If the phone rings for an emergency, they respond. I think that's what we want from a Kenora perspective.

Mr Martin: So the imposition of the new regulations that all police services boards have to live up to now, given the two approaches, won't be a huge problem for you?

Mr Duggan: It's interesting, because under the old system the Ontario Provincial Police had a dive team. When someone drowned in Kenora, two miles outside the jurisdiction of the Kenora Police Services Board, we

waited three days-plus for the dive team to come from Orillia to find a body that was lost. I've seen that happen too many times. Under these new standards, besides the containment team and a number of other things, the Kenora Police Services Board developed a dive team so that they could actually respond to an emergency, if required, immediately, rather than wait three days for the dive team to get to Kenora. I think that's important. That's one of the co-operations and standards that is now in place, and I think it's a good one.

Mr Martin: Has the reality of September 11 made any new expectation or change in terms of policing in your jurisdiction at all?

Mr Duggan: I would say it's not as visible as it may be here in Toronto. Business is as usual in Kenora. I think, like the people around this table and the people in this city, we are all more aware of life today after September 11 than before.

I had the pleasure of hosting the board of directors of the police services board in Kenora on September 10 and 11. The chief of Toronto, the chief of Niagara Falls, the chief of Sault Ste Marie and a number of the board members were there. They all responded to the best of their ability from 1,200 miles away as to how they could react to the September 11 issue. I think we're a different country than we were, and that has fallen into Kenora in a certain way. Business is somewhat as usual, but I think we're just a little more aware.

Mr Martin: Do you have any concerns yourself about the heightened sensitivity now, whether conscious or unconscious, to people's ethnic origin being a problem or presenting as a problem?

Mr Duggan: I don't foresee that at all. I may have expected that question from some of the previous people who have sat here before. In Kenora I don't see that. It's interesting because as I was flying Air Canada this morning at 6 am—I think you just do that. You look down the plane and you are just more aware today than you were before September 11 of the people who are on the plane. I'm not making a judgment at all, I'm just more aware of who all is on the plane. I think I respect multiculturalism more now than I did before September 11. I don't think that's bad; I think that's a good move, that I can appreciate people for what they believe in and who they are and personally try to understand more about that.

Mr Martin: OK. Certainly there are some concerns given the response of the provincial government in bringing in a couple of new people—Major MacKenzie for one and I'm just trying to remember the RCMP officer—

Mr David Pond: Inkster.

Mr Martin: Inkster—to advise the government on issues of policing, particularly where terrorism and September 11 are concerned. There were comments made, particularly by Mr MacKenzie, around the question of the appropriateness of ethnic or racial profiling. What would your position be on that, and will that influence your board at all, the provincial approach to all of this?

1330

Mr Duggan: No, it won't influence me at all. I'm 1,200 miles away from Major-General MacKenzie. He probably will not have a need to come to Kenora and be concerned about something that may be happening in our area. I am a very open-minded person. We have a lot of natives in our community and I look at everybody as a person. I don't label people; I take them for what they are and what they can provide as an employee of the hotel that I run. I have a wide variety of multicultural people in our hotel. I have 75 employees, and I find it very satisfying to have a good mix of different nationalities in the building. I don't know where you're going on it, but I can tell you that I'm a very open-minded person and I take people at face value and I'm very strong with that.

Mr Martin: Where I was going with that is that I am afraid, and hopefully I'll be wrong, that there may be an attitude that works its way down from the top into various policing operations across the province that would see things like racial profiling as just another tool, not recognizing the damage it can cause to groups of people and individuals. But I'm satisfied with your answer.

There's just one other question on a different—back to a subject, actually, that we touched on with the Liberal caucus, the question of the Hells Angels. When they came to Toronto, I'm not sure whether there was an order put out, but it was certainly suggested that people not serve them in their establishments if they were wearing their colours. Was that a realistic thing to expect or to do, and how did you deal with that in Kenora?

Mr Duggan: I can tell you that they came to our hotel and they were served, as any guest would be. Did they have their colours on? Yes, they did. It didn't bother my staff or myself. They were guests of the hotel. They did not stay with us—they took over another hotel property in Kenora—but they came and dined with us a few times. I had one fish off the docks of the hotel, and it wasn't a problem.

Mr Martin: OK. Thank you.

The Chair: That's your time concluded. The government caucus.

Mr Bert Johnson (Perth-Middlesex): I had a couple: one was about the police service and the other was about tourism. In the one about the police services, I was wondering if there is a detachment office in Kenora.

Mr Duggan: Yes, there is.

Mr Johnson: For the OPP, I meant. Do you see this as being a long-term relationship or do you see that it may evolve into one service for the new municipality?

Mr Duggan: We're hoping for status quo at this time because it is working. We would like to have Kenora Police Service challenge themselves to meet the standards in front of them. If it gets to a point where the standards can't be reached and the community isn't protected as well as it should be, then the decision needs to be made whether to go to a larger force and take over the whole area and beef up the 31 members in order to do the job properly or to go into contract policing with the Ontario Provincial Police.

Mr Johnson: Yes, and I would suggest from my experience that even more than the standards, the personnel will drive that too. My experience in small police services was that a lot of responsibility fell on the chief. If you had a good chief, things were good, and if you didn't, then things weren't. My example of that right now is the town of Cobourg that I read a little bit about.

The other question I wanted to ask was about tourism. I see that you were director of the Kenora Bass International from 1990 to 1999. I assume that's bass fishing in Lake of the Woods?

Mr Duggan: Yes, sir.

Mr Johnson: Is it connected to the waterway of Lac Seul?

Mr Duggan: No, it's not.

Mr Johnson: Are bass native to Lake of the Woods?

Mr Duggan: Yes, they are, largemouth and smallmouth. We have both largemouth and smallmouth bass in Lake of the Woods.

Mr Johnson: OK. My point is that they were not native to Lac Seul.

Mr Duggan: No. They are to Lake of the Woods. We didn't realize we had the resource we had until we started that tournament, which was supposed to be a walleye tournament. In discussions with the Ministry of Natural Resources, they suggested we go after a species that's basically unheard of and unknown. From that point forward, it has been a major economic boon.

Mr Johnson: And bass are more fun to catch than pickerel anyway.

My point was that bass were introduced sometime between 1915 and 1920 by Mike Ament, who emigrated to Sioux Lookout from Brussels, Ontario, near where I live. He was a brother of my mother-in-law. He introduced bass to that waterway. The first one, according to his diary—there was a train wreck, so he lost all the fingerlings that were being shipped up to stock the lake. He also discovered a second species of muskie. The tiger muskie, indeed, is the one he discovered. It's named after him. The Latin name has his last name right in it. I just thought that was trivia.

Mr Duggan: I appreciate it, because that tournament has probably dropped over \$1 million in one weekend, just because of it.

Mr Johnson: It's very important to your town.

Mr Duggan: Bob Izumi enjoys it very much.

The Chair: As you can see, any question can come forward—

Mr Duggan: From bears to fish.

The Chair: —and we learn something every day in this committee from our members and from those who come forward as applicants. Thank you very much for being with us.

JOHN WILLIAMS

Review of intended appointment, selected by official opposition party: John R. Williams, intended appointee

as chair, Ontario Tourism Marketing Partnership Corp board.

The Chair: The next intended appointee is John R. Williams, intended appointee as chair, Ontario Tourism Marketing Partnership Corp board.

Mr Williams, you may sit at the appropriate place. As you are aware, you have an opportunity, should you choose to do so, to make an initial statement and be questioned by the political parties represented on this committee. Welcome.

Mr John Williams: Thank you very much, Mr Chairman. My name is John Williams. I'm from Belleville, Ontario. I've been in the hotel business—this seems to be a hotel business program here this afternoon—for the last 23 years. I own and operate three hotels in that area: a Holiday Inn franchise, a Best Western franchise and a Ramada franchise. I employ just over 200 people in the hospitality business. My community service includes being past chairman of the local hospital board, past president of the Rotary Club, past chairman of Albert College board of directors, chairman of a local fund-raising campaign for the Belleville hospital, where we just finished raising \$20 million from the community. Presently, I'm a councillor with the city of Quinte West.

I joined the OTMPC board at its beginning in 1999 and am presently on its executive committee. I feel we have made good progress with this board and its mandate, which is to lead, with the private sector, development and promotion of Ontario as a tourism destination in key markets. I believe it's important to provide continuity to the position of chairman of this board. My experience in the industry, my chairing of boards in the past and my desire to get things done are the strengths I can bring to this table. I am one who looks for results and who expects fiscal responsibility.

I am here to answer any questions and to bring you up to date as to any information about OTMPC, what progress we've made in the last three years and what we look for in the future.

The Chair: Thank you, sir. We will commence our questioning with the third party.

Mr Martin: Thanks very much for being here today. Certainly marketing the province and the tourism industry is an important initiative. I know in my own area we're having some difficulty this year, because we don't have enough snow. We like to market ourselves as a place to come and play, drive snow machines, ski and ice-fish. I guess all the marketing in the world isn't going to solve that problem.

1340

However, when a couple of the new initiatives were announced, in partnership with some of the work of this corporation, one of the criticisms I had for the government was that it's fine to market, but if you don't have attractions for people to come to, it's difficult. They'll come once, they'll look around, they'll see, they'll participate, but they won't come back again.

A number of attractions in the north, around our region, are struggling economically to keep their feet

under them. Do you think the government has any role to play, not only in marketing but in ensuring that the attractions we're marketing are actually up to snuff, first class?

Mr Williams: Yes. Our organization is primarily into marketing. That's what the board's role is. But as you said, the other important part of marketing is to make sure we're marketing a product we're happy with and that we can attract the right people to, and that they're happy when they get here. So, yes, I think it's a role also, not of this committee but of the government, to make sure we're keeping up those attractions where we can, and reinvesting so that we do—it's like any other product you have; you have to keep putting money back into it. You can market it to death, but if you don't put the materials back in, the product won't stand up when the people show up. As you know, we're marketing this province throughout the world, and it's very important that we keep putting money back into facilities.

Mr Martin: The other concern I have, of course—and I'm not sure we want to get around to it—is the very competitive nature of this industry. Every part of the province thinks it has the most wonderful offering to make and would like people to come to their area. How are you, as a member of this board, going to make sure we're all dealt with fairly, that the north, the east, the south and Toronto get their fair share of this marketing opportunity?

Mr Williams: First of all, let me say that I'm from the east. As an operator, I think it's been noted in eastern Ontario that sometimes we don't get the attention that Niagara and Ottawa seem to get. A lot of times, the bigger centres seem to get the money and the small areas don't.

First of all, we have good representation around the board table of people who represent different areas within the province. We also have committee members, some 200 people who work on different committees with us, volunteers—this is a volunteer committee; it's a volunteer board—who again represent different areas of the province. They all bring expertise to their committees, and then back to the board, on what their areas need.

I think we try to be very fair in the marketing dollars, so that we are seen as covering all the areas in the province. Toronto and the bigger areas do sometimes attract more, but our idea is to bring them to the larger centres in some ways and then try to make sure they get outside the bigger centres.

I think that the number and type of people we have represent the industry. We have a good cross-section, and I think everybody is very fair in the way they look at it to make sure we market the province equally as much as we can. That is the way we try to make sure we have equal representation covering the province.

Mr Martin: The money that's being put in now and some of the particular programs that have been announced for example, the pride in Ontario program—are they adequately funded?

Mr Williams: As you know, there have been two announcements. One was \$4 million that was announced back in the fall, and then there has just been another \$10 million of extra funding that's been announced. This is meant to market Ontario through TV, radio and newspapers, particularly in the border states. It's fair marketing launched for the whole province. That \$4 million has gone out since October, and as I understand it, we have a strategy to spend the \$10 million that's just been approved in a very short time. All the campaigns are ready to go, and will cover a large amount of TV, magazines and radio, as I said, across the border states, primarily, to attract particularly the US market.

Mr Martin: Do you think that will be enough money to do that?

Mr Williams: I think it's a good amount of money. We appreciate the fact that there's been more put into it since 9-11. There's some real fallout from September 11, as I'm sure many of you know. From the tourism point of view it was tremendous. I'm sure many of you have heard the numbers. It has started to come back some. It's better than it was. September-October was not good, but November-December was better. As we go into the first quarter and into the second quarter we'll hope that things will improve, but we need this extra money to make sure we get the message out that we are safe and this is a good place to come, and encourage particularly our American friends to cross the border and visit.

Mr Martin: You've mentioned targeting across the border, border communities and that, but what about reaching out to other jurisdictions like Europe, for example? I've been over to Ireland a few times in the last couple of years and one of the things that's happening over there with the booming economy is people are now starting to take vacations like they've never before. They're going to Portugal and Spain. Now, for example, Australia is in there. They buy a full-page ad in the big daily newspapers on a regular basis and they're getting apparently some significant folks going over there. But Canada, and Ontario in particular—and our part of Ontario, which concerns me the most—we're not on the radar screen. Should we be doing more in that jurisdiction, or is it too far?

Mr Williams: No, we do some in each of those jurisdictions. We do some; not a lot—not in comparison with what we're doing in the US particularly. There is some market, the money that's spent in Europe. There's some market that's spent in Japan. There was very little done in Australia, although there is some. It is covered across, but the majority of it, for sure, is spent domestically both within the US and within Ontario, to try to get Ontarians to travel. There is some money spent in each of those markets you mentioned.

Since September certainly the Japanese market was hurt tremendously. The Japanese people did not feel comfortable travelling. We had tremendous cancellations in Japanese tourists throughout September and October. In October there would typically be 10,000 people on buses travelling throughout Ontario and Quebec, and I

think the figure we heard—there were 40 people. The Japanese are very cautious about travelling when those kinds of things are going on.

We have taken the markets we feel are the most important and where we can spend the money wisely, and in that case we are doing some in those other markets you mentioned, but primarily it's in the closer markets.

Mr Martin: Just one more question, if the Chair might, and that's on this question of September 11 and the move to harmonize activities at the border. For me, who lives in Sault Ste Marie across the river from the US, if it means that our border becomes as militarized as the American border, it doesn't present a very welcoming atmosphere for folks coming across. Given that there still hasn't been any—maybe I'm wrong on this—concrete link to Canada producing the terrorists or having significant terrorist cells operating in it, does it make sense to you to be making it even more difficult for people to come in and enjoy some of what we have to offer, as opposed to continuing down the road that I thought we were on before September 11, which was trying to open up those borders and allow people to come in a lot more freely?

Mr Williams: Of course, from a tourism point of view we'd like to be as friendly as possible and I think that's always been the issue. We know the market is huge over the border in the area you're in and the area in Windsor and down where we are. So from a tourist point of view of course we want to keep it that way. On the other hand, we want to make sure that it's safe, and I would hope we could come up with a way that it works for both of us so that you'd feel that people can travel back and forth and feel safe doing that and they feel comfortable coming here and it's not a major problem to get across the border.

I hope, in doing whatever we do in the future, it's made as user-friendly as possible and that we don't make it any more lengthy than we have to, but on the same hand I understand the concern about safety. So from a tourism point of view, the border is extremely important, absolutely.

1350

The Chair: That's the end of your questions. The government caucus.

Mr Hastings: Mr Williams, what conversations or co-ordinated plans do you have working with the Canadian Tourism Commission? They have a substantial budget. A friend of mine used to work in the special events industry. He hasn't been in this field for about seven years now, but he says that over the last 25, since the 1960s, a very spotty record by the CTC or its successors, not much coordination with the provinces compared to what you see with some of the national airlines of Europe, Australia—Qantas. Do you think we could be doing more in terms of getting coordinated dollars from the CTC to focus on the American and European markets through air flights and what you're doing with drives in buses?

Mr Williams: Absolutely. I think we have made some better inroads into that, particularly in the last year. CTC

has their committees, as you know, somewhat as we do here. There has been a distance in the past, and we sometimes haven't coordinated funding as well as we could. We've got programs running where we sometimes should be joining and doing the programs together rather than us doing our thing for Ontario and the federal government doing theirs. We have started that process. Some of the committee members are now coming to other committees that are meeting within both, trying to share knowledge, trying to share programs, looking at funding and how we can make the dollar the province has work with the federal dollar and therefore go further.

If we can keep that process working, with myself and other board members who make an effort to get to these committees and make CTC understand that we want to work with them, I think you'll see that improve a lot in the future. But it has not worked as well in the past, and I think it is one goal of OTMP to make sure that we try to fix that problem and make it a little bit more friendly for both.

Mr Hastings: If you look at the Qantas ads right now running on certain Buffalo border stations, you can see that the CTC doesn't have any connection with what I call Air Monopoly, Air Canada. We should be getting a greater profile, and not just Ontario but the other provinces. It seems to me that is really lacking. If you use Qantas or Swissair—I note they're in bankruptcy, coming back.

Mr Williams: Again, I agree. Sometimes that comes from CTC, sometimes it comes from the airline, where they may not want to be as friendly with us and that, but I think we have an opportunity. It's important to me that these dollars—these are government dollars but, as you know, this is an organization where we also try to bring private funding to the table. We try to share. We try to make these dollars go further.

The last year, the year before last, we were able to bring \$12 million in extra funding which was brought from operators like myself who got involved in things that the province was doing. This year we're in right now we hope to be \$17 million. So our goal is to be able to take the dollars we have from the province, bring dollars from the operators and other people who are interested in the programs and therefore make the message go farther. I think if we do that, continue to do that, we can grow that, but we also need to work very closely with CTC and make sure we're getting a better bang for the buck. So we'll continue to try and do that.

Mr Frank Mazzilli (London-Fanshawe): Mr Williams, thank you very much for coming and taking a role certainly on OTMP, because what does make it successful is people who give their time as opposed to any government agency trying to come up. I know there are ministry people who do help out and are very good and work closely with you.

I just want to say that the dollars announced since September 11 are over and above what's already spent in marketing in Ontario, the \$120 million over four years that OTMP has, and, as you've said, leveraged with

private dollars. The \$4 million announced for the fall and winter campaign actually turned out to be a \$7-million campaign, with some money from the private sector and some \$700,000 from CTC. We'll give them some credit for that.

Your spring and summer advertising campaign above the OTMPC amount is another \$10 million that was committed to that, and CTC will be contributing, I think, \$2 million. So those are aggressive plans, and I think you need the proper people to manage those numbers and get the results. So I wish you luck.

Mr Williams: Thank you.

The Chair: Thank you, Mr Mazzilli. Any further government questions? If not, we'll move to the official opposition.

Mrs Dombrowsky: Good afternoon, Mr Williams. I really am not especially familiar with the role of the OTMPC, so would you please help me? Do you have a budget? You must, because you have a business plan.

Mr Williams: Yes.

Mrs Dombrowsky: So you have a budget. Am I to understand that it's \$120 million, which will cover the next four years, \$30 million a year?

Mr Williams: Yes. That's approximate.

Mrs Dombrowsky: In the background, it indicates that part of the objectives of the corporation is to undertake joint marketing initiatives. So am I to understand from that statement that representatives from the industry also contribute to your budget?

Mr Williams: Yes.

Mrs Dombrowsky: Do they match?

Mr Williams: That's what I'm saying. Last year we were able to bring \$12 million extra to the table, and this year we hope to bring \$17 million. That's done through cash; it's done sometimes in kind, where an industry may give something like room nights or something to some promotion that's being done to attract people to the province. But the total is growing, and the idea is to grow that total each year so that we can continue to bring more. As I see it, as an operator, it does two things; one is that it helps because our dollar goes further. If we can take the \$30 million or \$35 million and we can stretch it into \$50 million, then of course we can get more bang with our dollars. The other thing it does, particularly in a smaller operation—I run smaller hotels, not the bigger ones—it gives us an opportunity to participate in some good marketing programs at a decent dollar that gets our message out, which I wouldn't normally be able to do. So I can buy a \$1,000 ad in a publication that the province is doing that's going all over, huge, and because it's offered to me and it's offered to many operators in eastern Ontario, it gets my message out. So the idea is to grow the dollars and therefore get further and also help smaller operators.

Mrs Dombrowsky: How accessible are the resources of your corporation to the small mom-and-pop operations that exist, for example, in my riding? I ask this question because you've made a curious statement, to me. You've suggested you are a small operator. I have to tell you that

by the standards of most operators in my riding, you're a big operator. Can you explain how the services of your corporation are available to all of the tourism service providers?

Mr Williams: Sure. Let me give you an example of an events publication that's done every summer. I guess I'm comparing myself to some in the city when I consider myself smaller. But I understand exactly what you mean: someone who is running a small fishing lodge, for example, or a small motel.

The province puts out, as I said, these publications. You have an opportunity as an operator to participate. As I said, the ads can run anywhere from \$350 to huge, way up. Our idea is to get that information out to the smaller operator, where they can buy into that program so that instead of them having to spend huge amounts of money to go in a very glossy—which they probably couldn't afford any other way—this is a sales tool. There are a number of publications that are put out where we try to get to the smaller operators.

Our goal, though, and we don't always do it as well as we should, and this is one thing that I'm very concerned about in making sure that we do better, is to make sure that message gets out to every operator, including the smaller operators. Sometimes they don't see the opportunity, and then they don't get involved. One of the things that's very clear as a sales effort is to get that message out to everybody, particularly in areas like eastern Ontario where I think sometimes in the past we haven't got as much attention as we'd like. So it will be our goal to make sure that sales opportunity is put in front of as many people as we can that are operators, whether they're small or large, and therefore give them that opportunity to market their property better.

1400

Mrs Dombrowsky: OK. If I can go back to the point you were making about engaging resources from the industry sector, you indicated that last year you received \$12 million and you hope that will increase to \$17 million and you want to build on that. Is it the thought that at the end of four years, when all government support for this corporation will cease, the industry will then carry on in the role?

Mr Williams: No. I think we would hope that we can prove to the government that if it's \$30 million, for example, maybe we're able to get it up to \$25 million or even further, so that we can prove we took the money the government had and made it go that much further, we did that much more with it. Of course, you know the results are only in how visitors increase and how the tax dollars increase and how it makes sense from the government's point of view. We hope we would still see some support from the government but that we would certainly be able to have a higher ratio of dollars coming from the private sector to support it. We would still hope there would be some support from the government.

Mrs Dombrowsky: So, while it is the government's fiscal plan that the corporation will be terminated in 2003-04, probably members who would have served on

the corporation would be advocating for some continuation of that program, you would expect?

Mr Williams: I think it all depends on the results, and I believe very strongly that we have to prove we can make the numbers work.

Mrs Dombrowsky: That's my next question: do you have an accountability component within your corporation?

Mr Williams: Yes, we do. We have a number of accountabilities that we follow and track very carefully as to how we're spending the money and what kind of results we're getting. We also have a committee on the board that looks at that stuff specifically and reports on how we're doing, both financially—

Mrs Dombrowsky: Who do they report to?

Mr Williams: They report to the board. Those people as a committee report to the board. We report our findings—

Mrs Dombrowsky: To the minister?

Mr Williams: Yes.

Mrs Dombrowsky: OK, so it's a public document.

Mr Williams: That's correct.

Mrs Dombrowsky: So the public can see the kind of return they're getting for that investment?

Mr Williams: Absolutely. We're accountable to the minister on how we spend the money and the results we get with it.

Mrs Dombrowsky: OK.

Mr Williams: are you a member of a political party?

Mr Williams: Yes, I am.

Mrs Dombrowsky: And what party would that be?

Mr Williams: That would be the PC Party.

Mrs Dombrowsky: Do you have any particular role with that party?

Mr Williams: No.

Mrs Dombrowsky: You're not a member of the executive?

Mr Williams: No.

Mrs Dombrowsky: Those would be all my questions, Mr Chair.

The Chair: Mr Gravelle?

Mr Gravelle: Good afternoon, Mr Williams. I'm curious about the relationship of the Ontario Tourism Marketing Partnership Corp and the Northern Tourism Marketing Corp. I'm from Thunder Bay. Does the funding envelope for this include the funding envelope for northern Ontario?

Mr Williams: Presently it does, yes.

Mr Gravelle: So you're the chair—or you would be the chair—of the entire organization, which would include the northern component?

Mr Williams: Well, no. The way it works is that the funding, as it sits presently, comes through the OTMPC but goes to the north. They have their own board, as you're probably aware.

Mr Gravelle: Yes.

Mr Williams: Mr Bill French—I think you know Bill.

Mr Gravelle: I know him well.

Mr Williams: He sits on our committee and represents their board on our committee—I guess you'd say it that way—but the funding comes from OTMPC and flows—

Mr Gravelle: They have their own funding envelope that comes from you originally and then they—

Mr Williams: That's correct.

Mr Gravelle: One of the questions I have in relation to that—and I should probably speak to Mr French about it, because I know him quite well and I think he's a good choice for the position—is one of the problems we often seem to have when maps are made to promote areas of the province. The maps have not been correct, and it has happened on more than one occasion. Communities that are extremely important communities, certainly in my riding in northern Ontario, are left out or they're switched over. It befuddles me as to how this can happen if it's being managed out of the north. Certainly every one of us would look and see that Schreiber's there; it's not there. And why isn't Red Rock in?

How is that handled? My understanding is that it's done by a firm outside the north. Do you agree it should be done by a northern Ontario firm, or can you at least explain—I'm sure you're familiar with this, because it's happened twice now.

Mr Williams: The northern group, as you know, does a lot of their own publications. They do it for fishing; they do it for a number of the activities that are done in the north. Bill and his committee sort of do like we do. They take their funds and try to get local operators to jump into some of their publications. My understanding is that in most cases the north doesn't do too bad a job of it. I think maybe some of the publications that come out of the south don't do as good a job of making sure the map is in place.

Mr Gravelle: That's it. That's exactly right.

Mr Williams: That's another thing. We have the same problem when it comes to central and eastern Ontario. On one map, you'll find that eastern Ontario or central Ontario starts at Highway 400 and goes one way, and then on another map you'll find it somewhere else. We're trying to work at that to make it more consistent so that we fix that problem. We're working closely with Bill. I think there are some conversations going on now as we speak as to what's going to happen with that agreement in the future. I understand the Minister of Tourism and the minister of the north are having some conversations as to how they are going to handle that as we go forward, because I believe their funding is up for renewal this year. We haven't heard what that result is, but we'll certainly continue to work very closely with the north and try to correct these areas that we have run into and particularly, as you mention, these maps and stuff, because it's very important.

Mr Gravelle: Are you indicating there's some possibility that it no longer will be handled the same way, that there will be a separate funding envelope?

Mr Williams: No, I don't know. I guess I just say that; I don't know. All I know is that there are some con-

versations that have been going on, and we haven't been made aware of the results.

Mr Gravelle: Just back to the map thing for a second, it befuddles me how this can happen twice, because again certainly the people who are managing the system in the north would be the first to spot the error. I know these things can happen, but it's just awful. The same community has been missed or targeted twice in a row. It really is frustrating, because you would hope that when you're dealing with professionals, obviously, they would do a good job. You wonder where it falls apart. Where does it fall apart? Again, I would think it would go back to you to look at and you would spot a problem. It's certainly a frustration. I have even spoken about it in the House.

Mr Williams: I agree. It's one we need to fix. Recognizing that it has happened once, it shouldn't happen a second time, but hopefully it doesn't happen a third and we can fix it so that it doesn't. Sometimes you've got two or three printers looking at it. In this case, somebody from the north needs to make sure they get a good look at it.

Mr Gravelle: That's right. I couldn't agree with you more.

The Chair: Thank you very much for your questions, Mr Gravelle. Because of time, thank you very much, sir, for appearing before the committee. You may step down. Decisions will be made at the end of the day.

SHIRLEY FAHLGREN

Review of intended appointment, selected by official opposition and third parties: Shirley Fahlgren, intended appointee as member, Child and Family Services Review Board.

The Chair: The next individual to be considered by the committee is Shirley Fahlgren, intended appointee as member, Child and Family Services Review Board. You may come forward, Ms Fahlgren. You have the opportunity to make an initial statement, if you see fit, and then questions will come from members of the committee. Welcome to the committee.

Ms Shirley Fahlgren: Good afternoon, gentlemen of the committee and lady of the committee, as well as Mr Arnott and Mr Pond. I am pleased to be here this afternoon to present myself and some details about my background and experience which I feel are pertinent to serving on the Child and Family Services Review Board.

Geographically, my background and continuing association with many regions of Ontario are diversified. Born in southern Ontario, I grew up in mining communities, namely, Pickle Crow and Red Lake, where home schooling provided my elementary education, with the exception of one year in a public elementary school in Elmvalle. Following the completion of the first two years of high school in Red Lake—it only went to that point at that time—I was enrolled in a private boarding school in Winnipeg for grades 11 and 12. Summer saw my return to Red Lake, where I worked for the Hudson's Bay Co,

the store there, until after graduation from the University of Manitoba with a bachelor of arts degree in English and psychology.

Following my marriage, I taught at Red Lake high school until our move to Sault Ste Marie, where my husband was employed as a pilot with the then Department of Lands and Forests. A year later we moved to Ottawa. During our five-year residency there, I worked as a typist of French communications for the Department of External Affairs.

North Bay was our last move, to a community that was a great place in which to raise our four children. Homemaking, teaching in a secondary school, counselling students both vocationally and personally, volunteering in a number of organizations and training for promotion as a figure skating judge provided a broad base of experience and challenge in partnering and in understanding children and youth, especially through coaching extracurriculars such as gymnastics, drama, choir and cheerleading.

My continuing association with many regions of Ontario from Kenora and Kapuskasing to Toronto and Ottawa is a consequence of my avocation, which is evaluating figure skating tests and judging competitions, allowing me the opportunity to interact with boys and girls of all ages.

1410

In a volunteer capacity, administratively, I have served as chair of the northern Ontario section of the Canadian Figure Skating Association, now renamed Skate Canada. The northern Ontario section is an area extending from the Manitoba border to Gravenhurst. For 10 summers, I was director of the North Bay international summer skating school, which at its peak attracted 250 skaters from many provinces and several states. In addition, I assisted with the organization of Ontario Winter Games and co-chaired the Canadian National Figure Skating Championships held in North Bay in 1986.

Other interests included serving on the board of Women in Non-traditional Trades, singing in two church choirs, and recently becoming a member of the Rotary Club of Nipissing.

The recipient of several awards in both school and skating venues, I value the award of merit from the Ontario School Counsellors' Association in 1985, the evaluator judge award for Canada in 1998, and the election to the North Bay Sports Hall of Fame in 2000 as particularly meaningful.

Fortunate in three careers—teaching for 25, real estate for 13 and executive assistant to MPP Mike Harris for 11—I look forward to applying the skills and expertise acquired in those careers to serving on the Child and Family Services Review Board. My compelling interest in education and the well-being and success of young people, combined with my personal and professional experiences, I believe qualify me for this appointment. I know that the safety of all parties in the school setting is of paramount importance, that the preparation for a return to school for expelled students is an essential con-

sideration and that a keen desire to resolve appeals justly and expediently is mandatory.

I thank you for your consideration of my appointment to the Child and Family Services Review Board and look forward to any questions you may have.

The Chair: We commence our questioning with the members of the government.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time, so we move then to the official opposition.

Mrs Dombrowsky: Good afternoon, Ms Fahlgren. I have had it brought to my attention that there was once a report called the Fahlgren report. I believe it dealt with northern Ontario matters. Are you familiar with that report?

Ms Fahlgren: I'm sorry. Would you repeat that, Ms Dombrowsky? I didn't understand the first part.

Mrs Dombrowsky: It has come to my attention that there has been a report written in the province called the Fahlgren report.

Ms Fahlgren: Oh, OK.

Mrs Dombrowsky: OK? I am asking you if you are familiar with the report and if you might be connected to the individual who would have authored it.

Ms Fahlgren: I am somewhat familiar with it. I think it was done in the early 1980s. It was on the environment. It was originally the Hartt commission, I believe, and it was completed by my brother-in-law, Ed Fahlgren.

Mrs Dombrowsky: I see. And it was on the environment?

Ms Fahlgren: I believe so.

Mrs Dombrowsky: OK, because someone had just indicated that there had been a report of that title. Thank you very much.

It's very obvious you would be familiar with the role of agencies, boards and commissions in the province. I guess my question to you this afternoon is, why would you express some particular interest in serving on this particular board, given the gamut there is, the various boards and agencies that provide services for the people in the province? What in particular is of interest to you with this particular board?

Ms Fahlgren: Education for children and youth. I think it covers pretty well both my vocational interests and avocational interests. From the figure skating viewpoint, I often have opportunities to speak with unsuccessful candidates who are somewhat crumpled by what they perceive as their inadequacy. It is an effort to explain to them that it's not they who are being tested; it is the test and whether or not it is reaching the standard.

It's the same in a school setting. As a counsellor, I found—and I'm speaking vocationally here—that it was very, very important to gain the trust of students from grades 9 through 13 and to really help them explore what situations are open to them and how their subjects will lead to where they want to go eventually. That's my answer.

I think learning is living. If we don't have children and youth who are motivated to learn, we're going to be in a

pretty bad situation. I think the safe environment has to be—and of equal importance are our efforts to influence expelled students to adopt a different view of life and to become motivated to be responsible individuals.

Mrs Dombrowsky: I appreciate all your comments and certainly would agree with them for the most part. However, you do appreciate that the role you will have, as I understand it, will not be to deal directly with the individuals but rather to assess and to judge whether a decision that has been made about a course of action has been appropriate or not.

That you would talk, for example, about students who would be expelled, I think we would all agree that when a youngster would find himself in that situation, very probably it would be the result of a very serious need for additional supports within the family or within the school system.

As a matter of fact, this morning I had the opportunity to meet with some community mental health representatives who would say to me that there are not sufficient resources within our communities to deal with the problems, particularly with our young people, and that when there has been an identification made that these youngsters should be getting some support, in order to access the professional services and supports that they require there are waiting lists of eight or nine months, even over a year in particular parts of the province.

The issue that the people brought to my attention was that in that period some very serious things can happen in a school, for example. Given that that is a reality, that there are children who have been identified with some very serious needs who have not been able to access the resources that may help them, that may prevent some violent outbursts and that you might have an understanding of that, would that have any impact on any decision you might make on a review board?

Ms Fahlgren: I think, as you said earlier, I would not be dealing as a member of the board with that particular issue. Certainly I personally understand where you're coming from, but again, it would be my responsibility to review all the evidence presented, to weigh it, along with two other members of the committee, and reach a just decision.

There are many reasons for children and youth acting out, and I'm not prepared to go into those because they're not really pertinent to the board that I am seeking appointment to.

Mrs Dombrowsky: Actually, I couldn't disagree with you more. In fact, I think we have a responsibility, and I would suggest that in your role you would have a responsibility to review some of the reasons why a youngster might—

Ms Fahlgren: Absolutely, to review the reasons, yes.

Mrs Dombrowsky: —be in that particular position. I guess maybe then the fault is with me in that my question was not clear to you. Were you to understand that a youngster might be in this situation because there were not resources within the community that could have ameliorated that situation earlier, would that assist you in making a decision on a case?

Ms Fahlgren: It could.

Mrs Dombrowsky: What other issues would you want to consider?

Ms Fahlgren: So far as the student is concerned?

Mrs Dombrowsky: Yes.

Ms Fahlgren: Whether or not he or she is taking medication, whether there is a developmental disability, what's happening in the home life, what is the historical background in both school and home; all those would weigh in.

Mrs Dombrowsky: Would you agree that expulsion is really a last-resort measure and that if there was any way that a youngster could be maintained in a regular school setting, that in fact would be the resolution to be sought?

1420

Ms Fahlgren: That's a very interesting question. I'm going to speak from experience as a teacher. I never did experience a desire to have someone suspended or expelled, but I certainly was aware—even in private school, I witnessed two expulsions. It was for repeated severe infractions of rules that had to be observed.

But going back to your question, is it a last resort, I think there has to be prolonged discussion, not only with the student but with others in his home life, and counselling there, to see how they are reacting or responding to his or her needs. I think expulsion is a serious action and if there are other ways of dealing with it—but that again would not be my responsibility, because I would be reviewing, along with two others, this information. But in answer to your question, I think, yes, it is a last resort.

Mrs Dombrowsky: I am somewhat heartened to hear that, because when you read the criteria of reasons for which a youngster might be expelled from school, they are indeed serious. I have some experience in the education field, so I certainly am aware that there are very serious situations that can arise. We as a society have an obligation to ensure the safety of all the children who would be in that facility, but at the same time, I think there is an absolute need to recognize our responsibility to provide whatever supports and services children might need to prevent them from coming to school with a weapon or making some very inappropriate threats. A youngster can be expelled, according to the wording of the law, for assault. Sorry, am I—

The Chair: No, you have one minute.

Mrs Dombrowsky: I think for me, I really need to understand that people who serve on this board would consider some of these very serious actions for which a youngster might have been expelled and for which the family or the advocate for the youngster might come to appeal; that you would be open to understand that very many times, while the action is quite severe, some of the conditions that would have caused the action are equally as severe and totally beyond the child's control and there should have been some intervention at a much earlier age and stage that would have prevented that particular outburst or action on the part of the youngster.

I would hope that in your role you would first of all make all of those considerations and then also use the influence you might have in that role to press for and ensure that there are adequate services and supports for families and children within our communities, because that is a serious problem right now.

Ms Fahlgren: As you say, it's the responsibility of everyone to address that issue.

There was another thing that you mentioned there. I think it was insofar as looking back again at the evidence. Of course, because it is an appeal, that is the function of the review board.

The Chair: That would be the conclusion of your time. Mr Martin, the third party.

Mr Martin: I was interested in the comment you made that you worked as executive assistant to Mr Harris. Are you still in his employ?

Ms Fahlgren: No, I'm not.

Mr Martin: When and why did you leave his employ?

Ms Fahlgren: Approximately three months ago.

Mr Martin: Any reason you want to share with us why you would have left that employ?

Ms Fahlgren: My contract was fulfilled. I had been there 11 years.

Mr Martin: In looking to get involved in other ways in the public life of the province, you've chosen this one. Why would you have picked this out of a fairly large offering of public appointments that are obviously out there? I know of your background with children. That's probably part of it. Is there anything else?

Ms Fahlgren: I guess it was the Safe Schools Act that really zeroed my focus. From time to time there would be press releases coming in about what had been planned and the code of conduct and those kinds of things, and it just continued to deepen my interest.

Mr Martin: You'll be making decisions or contributing to decisions that will affect some very vulnerable young people in some difficulty, not only with society but with themselves in many instances. Besides your volunteer work, and it's quite extensive and it's impressive, and your teaching career, is there anything else you've done or studied that would prepare you to actually consider these cases and make decisions that you would be able to live with as good decisions on their behalf?

Ms Fahlgren: I haven't included this in the statement I read, but certainly within the 11 years that I was executive assistant to Mr Harris, I dealt with many problems that involved families as well. I guess that came as a result of having done it in high school. So that again made me very aware of perhaps what you were saying, Ms Dombrowsky, that there are many reasons for things happening, and I took an interest in that. So I would say that has some bearing on it as well.

Mr Martin: But you have no specific training or—

Ms Fahlgren: Aside from a specialist in counselling.

Mr Martin: OK. That's fair and that's probably significant in this kind of work, understanding where young people might be coming from. You mentioned the safe

schools issue. There are a number of other considerations that this board looks into too. What's your understanding of the board's jurisdiction where they are concerned?

Ms Fahlgren: They're reviewing appeals for residential placements, emergency secure treatment decisions, refusal by licensees for adoption placements and the expulsion. I think there is one with the Solicitor General's custody, but somehow I think that's been removed. I don't know.

Mr Martin: In those areas, and again they are very significant in the life of young people, any particular background training or experience, other than your counselling, that you might bring to those considerations?

Ms Fahlgren: You mean to residential placements or secure treatment?

Mr Martin: Yes.

Ms Fahlgren: I think the teaching experience was a broad introduction and continuing understanding of things that can bother students, particularly in grades 12 and 13. The acting out in grades 9 and 10 and even in 11 sometimes is just budding maturity, not yet in bloom. But as students reach grades 12 and 13—now it will be only 12—there is a pressure on them not only to perform to their own satisfaction but to the satisfaction of their parents and of their peers in other ways. I'm reflecting on becoming a student: "Do I really want to go to university? Do I want to go to college? Do I want to find a job and work?" I think those pressures are severe, and I'm certainly cognizant of them not just through the teaching but also from the skating, because sometimes commitment to skating means seven hours a day plus school, and the pressure is tremendous; that is, if you're going to go into national or divisional competition. Sometimes that can set a student, or a skater who is also a student, awry. I think my experience in those two venues has been adequate. No, I can't express beyond that.

Mr Martin: In considering this appointment and thinking about it and perhaps talking to some folks about it, what was it that you wanted most to achieve in your term in this role?

Ms Fahlgren: On this board?

Mr Martin: Yes. When it's all said and done, what would you have hoped to leave by way of your mark on it?

Ms Fahlgren: As a legacy? I haven't thought about that.

Mr Martin: In looking at it and obviously being attracted to it, what is it that you wanted to do?

1430

Ms Fahlgren: I want to become conversant now with what's happening, why an expulsion would occur, and to assist, with the other two members, in making the best decision for the—I hesitate to use the word "rehabilitation"—preparation of the expelled student to return to school.

Mr Martin: What about in the other areas that you will have to consider?

Ms Fahlgren: At this point I don't know that I'm—apropos to that, I just don't know. But certainly they are

of great interest to me. I've been aware of the Concordia Centre in North Bay, which has now lost its name and has become something else. There is supposed to be a CTC, a treatment centre, ongoing. I think it's in the works. I have gone to several meetings of many of the organizations that address these concerns because of my interest.

Mr Martin: There is one other area that I don't think we touched on in our conversation here this afternoon, and that's the area of disclosing information to people who have been adopted so that they might make good decisions or access services or whatever. What's your view on the disclosure of information?

Ms Fahlgren: Are you saying to the adoptee?

Mr Martin: Yes.

Ms Fahlgren: I think it would have to be very carefully considered and the best decision made, because perhaps the disclosure would not have a positive influence; perhaps it might. I haven't looked into it. I'm sure that training will be presented. I'll look forward to that.

Mr Martin: Thank you very much.

The Chair: The governing party is—no. That concludes everything. Thank you very much for appearing before the committee. You may step down.

Ms Fahlgren: Thank you, Mr Bradley.

ROGER CLARKE

Review of intended appointment, selected by official opposition and third parties: Roger N. Clarke, intended appointee as member, Ontario Film Review Board.

The Chair: The next individual to be considered is an intended appointee as a member of the Ontario Film Review Board, Roger N. Clarke. Mr Clarke, would you come forward, please. As you would be aware, you are entitled to make an initial statement or say nothing, whatever you like, at the beginning. I should mention that we simply deduct it from the time of the government members, so you can take as long as you wish, sir—up to 10 minutes.

Mr Roger Clarke: Start the stopwatch.

The Chair: Welcome to the committee, sir.

Mr Roger Clarke: Thank you very much, sir. I would like to make an initial statement; brief, I think.

Mr Chairman, members of the committee, it's my privilege to appear before you today pursuant to a hoped-for appointment to the Ontario Film Review Board. Perhaps I may be permitted to outline what I trust you will agree are valid credentials and experience for such an appointment.

It's my understanding that one of the primary qualifications for a public appointment is a demonstration of interest and involvement in one's community. May I be permitted to outline my involvement.

Currently I am a member of the Scarborough Youth Justice Committee. This involves sitting on panels to hear cases involving youth in trouble with the law, as determined by court officials who report to the Attorney

General's department. The work of these panels helps to alleviate an overburdened court system from having to hear charges of a relatively minor and non-violent nature. It gives young people a second chance to rehabilitate themselves with no criminal record. It also involves an apology to the victim and determination of limited sanctions for the guilty, by their own admission, youth. Everyone on the committee is a lay member, not part of the legal community, and is of course a concerned member of our increasingly complex society.

I've also performed public service through my membership in the College of Optometrists of Ontario. In addition to being a public member of council for the college, I also served on several college committees, such as quality assurance, strategic planning and communications. While chair of the communications committee, I spearheaded the establishment of the college's first Web site, whose primary objective is to serve the interests of the public.

I also participate in my local ratepayers' association, where one of our principal objectives is to oversee proposed developments in our community.

For four years I also served on the board of my children's elementary school parent advisory council, that is, from its inception. As the father of two grown children and, more important, two young children, eight and 13, I feel it's very important that Ontario parents be afforded meaningful and understandable guidelines and ratings as to the suitability of films for consumption at all ages. I plan to take my new responsibilities very seriously, with a view to this end, and look forward to the training and indoctrination that will be provided to me by the Ontario Film Review Board.

Thank you for your consideration, and I welcome your questions.

The Chair: Thank you very much, sir. This time, it will begin with the official opposition.

Mrs Dombrowsky: Good afternoon, Mr Clarke.

The Chair: Hold on. I saw Mr Hastings looking at me in a scolding way. It does begin with the official opposition.

Mrs Dombrowsky: With regard to the role of the film board—and of course you've had an opportunity to review the background and you're familiar with the references to community standards—while I think I have some appreciation of the term myself, do you not find that to a degree somewhat ambiguous and very challenging to achieve?

Mr Roger Clarke: I would certainly agree it's challenging to determine. However, I think it's open to interpretation, and that interpretation, as I understand it from the composition of the board, is that it takes people—brings people, I should say, because it happens here in Toronto. It brings people from all parts of Ontario together to basically reach a consensus as to what is acceptable, how something should be rated, whether it's viewable by young and impressionable minds, that type of thing. But it's certainly a challenge, yes.

Mrs Dombrowsky: Another question I have, particularly following the holiday season, when it's very popular

for youngsters to receive new video games—over the holidays I had actually two conversations with families who purchased these games because they were popular, because their youngsters had mentioned the names, and when watching them being played they were really very surprised to see the violent content within the video games, which are unregulated at this point in time in Ontario. Do you have an opinion about that, and do you think the Ontario Film Review Board might have a role to play to assist families? Families spend a good deal of money on this sort of paraphernalia for their video machines and I think sometimes feel somewhat betrayed, because the names can be a little bit elusive. So what might seem like a pretty innocuous game, when they actually see what it involves, they can be pretty concerned. It might not be the violence, but it can be especially frightening or some disturbing images, you know, people having their heads cut off and blood coming out. These are games that are recommended for very small children. It's just interesting that I had those two conversations, and I do think they're real stories that relate to, not what you do, but maybe something you could do. Do you have an opinion on that at all?

Mr Roger Clarke: As I mentioned in my opening statement, I have two young daughters at home. Luckily they've evinced little interest in the commercially available games. They, for example, access TVO, and TVO has some pretty good games and they change fairly frequently. So there's a renewal that goes on there.

I understand it's a voluntary system now of rating these games. I can anticipate that it would be a good thing to be able to rate them and classify them, but it might be difficult. The reason I say that is that from a technological or logistical point of view some of these games, many of them, are very complex and layered, and therefore one would almost have to be an expert to get to some of these layers, albeit there may be murder and mayhem going on at all layers. But let's say you wanted to get something that was particularly salacious. It may be at level 15, and if you're as inept as I am, you'd only be able to get to level three. So I can see that while it may be an ideal situation, it could be difficult to actually implement. That's not to say it shouldn't be considered or even attempted.

1440

Mrs Dombrowsky: Wouldn't you, though, as a member of the board, simply assume that while we know the reality would be that not all children would be able to get to the 15th level, one child could? Wouldn't you make that assumption?

Mr Roger Clarke: I'm sorry. You misunderstand me. I didn't mean that a child couldn't get to that level. What I meant was that the reviewer might not be able to get to that level. Therefore you might get a miscue from the reviewer, who would only go so far and then say, "Oh, well, I guess it's OK," but in reality the thing you might object to was hidden deep in the depths.

There are reviews you can get from computer papers and computer magazines, which do review these things.

There are people who are known, or like to be known, as gamers. They're the people who play the particularly violent things. In some cases there are literally thousands of people around the world playing this glorified chess game, if you will. I think it's a little bit like the Internet, though; it's a difficult thing to regulate.

Mrs Dombrowsky: But I'm just saying that as a parent in a store, it's always very helpful for me when I can see what the rating might be right on the package.

Mr Roger Clarke: Absolutely. Yes.

Mrs Dombrowsky: Certainly I do look for that when we purchase videos and such for our children—or have; they're a little bit past that stage now. I can understand why parents might look for that, and I guess my question to you is, do you think it would be appropriate for games to be part of the responsibility the Ontario Film Review Board would consider?

Mr Roger Clarke: I'd have to say yes. I think it's certainly worth consideration.

Mrs Dombrowsky: So if an individual or group of individuals were to advocate for that, you think it is something you would be able to support?

Mr Roger Clarke: I think so, yes.

Mrs Dombrowsky: It is a concern within families, particularly families with younger children. So I'm certainly encouraged to hear you would be open to that.

You know there continues to be a conversation about how effective the Ontario Film Review Board is. As a parent, as a member of the community, do you have an opinion? Obviously you're looking to participate on it, but are you aware of that debate, and how would you defend or support the role of the board in light of the fact that there has been some significant conversation and suggestion that it is not effective in its role?

Mr Roger Clarke: I think that like any body it should be open to evolution and should be prepared to change in some cases as the technology might change or even as community standards might change. I know that when I was a kid, my dad would take me to movies. He wouldn't really have to think about what movie he would take me to; he would just take me to whatever we felt we should see. I think I grew up pretty well as a result of it. However, these days, if I'm going to take my own kids to a movie, I definitely want a rating system. I've seen movies—I have to say I've never taken my kid to a movie that wasn't appropriate, but I've seen lots on television that are not appropriate. We've subscribed to The Movie Network since its inception, which was somewhere in the early 1980s, so we've always sort of had movies in the home. I find it very easy to regulate those. I know there's a different rating system involved there.

I hope I'm answering your question when I say that I think it's an effective board but must keep itself open, so that it is prepared to change as community standards change.

Mrs Dombrowsky: Can I ask you, with regard to community standards and your understanding, they're different from area to area and region to region?

Mr Roger Clarke: Oh, yes. Definitely. I have relatives, both in-laws and otherwise, in various parts of Ontario, and we get together from time to time. We sometimes have differing standards. There's the sort of big-city ethos versus the small-town ethos. Sometimes they're different; sometimes they're not.

The Chair: I think that concludes your questions and your time, Ms Dombrowsky.

We'll move to the third party in rotation, and that will be Mr Martin.

Mr Martin: This is an important piece of public business that you've applied to be part of, and from conversations we've had with others who have come before us appointed to this board, it will probably take up a fair amount of your time. I guess I'm wondering why it is you would want to do this at this particular point in time in your life, given all the other things you could do to serve your community or the province.

Mr Roger Clarke: I'm pretty flexible in terms of my time allocation or time allotment. As I mentioned to Ms Dombrowsky, I feel it's an important function and I think I can bring something of value to the party, so to speak. As I said earlier, I'm speaking as a parent. Quite frankly, I might not be as interested were I not a parent, and a parent of young children.

I think it's important that any consumer, of whatever age, should be able to look at the title of a film advertised in the paper or what have you and figure out approximately whether the content is suitable for them, for their particular standards; disregarding anything to do with the community but for the individual as well. There's an awful lot of product, so to speak, available, and it's difficult to discern that from just reading a review, because a reviewer may like something that you dislike and vice versa. So a rating system, I would hope, is at least somewhat unbiased, or if there is a bias, it's toward protection of the young.

Mr Martin: That whole question of bias becomes a bit of a challenge in this business. As you know, it's a very delicate rope that you walk on this one, because there are people out there who think we're being way too—

Mr Roger Clarke: I'm sure it's from both points of view: too lenient and too restrictive.

Mr Martin: Yes, we're too quick to censor and we don't respect or understand the right that people have to see whatever they want, and they will make all kinds of arguments that that should happen. Then, of course, there are others, particularly people who have children, who are concerned about what they are seeing. For example, I've got four kids. You pick up a movie you think is going to be good for the family, and halfway through it, oops, all of a sudden there's one little piece that just destroys the whole thing for you, and you wish somehow there was some way you could have known about that ahead of time. Certainly I don't want to impose my sense of what's right and wrong on adults in my community who have a right to choose and to watch whatever they want.

Is there anything in your background that would give you any particular qualification or indicate to us or raise a red flag with anybody in terms of bias, other than the fact that you have children?

Mr Roger Clarke: I don't believe so, no. Can you expand on that? Maybe I'm not grasping what you're asking me.

Mr Martin: Do you belong to any particular organizations in your community that would have a particular heavy slant in one direction or another?

Mr Roger Clarke: No, I don't.

Mr Martin: What about in terms of actually doing the job? Is there anything you've done that would prepare you for this, that would give you—

Mr Roger Clarke: The only thing I've done or the most pertinent thing I've done is that last May my wife and I attended what I believe is called a public awareness night at the Ontario Film Review Board and we saw a film. We had no idea what we were going to see in advance; we just went out of interest. We sat with approximately 30 other adults and rated a film and then we all came to a consensus once that was over. It was actually quite interesting.

Mr Martin: Do you watch a lot of movies?

Mr Roger Clarke: Yes, I do, primarily on television. As I mentioned earlier, I subscribe to The Movie Network. I might go to one film a month in terms of an actual theatre, but in terms of the television, I would see a lot more than that.

Mr Martin: Have you read much of the argument out there around the censorship of films and what we're doing and not doing and how we compare with other jurisdictions in the world?

1450

Mr Roger Clarke: I have some awareness of it. I'm under the impression, I hope a correct impression, that the film review board is not a censorship board but more of a ratings or a classification function, so that nobody is told what they can't see but are told what they're going to see or what their children are going to see, which to me is the most important thing. Adults can make up their own minds, as far as I'm concerned.

Mr Martin: OK. Just to switch gears a little bit, the issue was already raised that we regulate and put labels on movies and, by that, as well on videos that get delivered, although, as we've noted here, there are people who sell videos that aren't rated; they shouldn't be, but they are. But on television there are lots of programs that come on that raise concern, I'm sure, in some people's minds, and we don't regulate that in the same way. I'm thinking of, for example, what's your view of a show like the WWF?

Mr Roger Clarke: To me, it's completely irrelevant—to myself and I think irrelevant to the real world. A long time ago, when I was a kid, my father explained to me that wrestling on television was a sham and a delusion, and that's the way I view it.

Mr Martin: But it's more than that now, eh?

Mr Roger Clarke: Show business is what it is. It's big show business, but it's show business.

Mr Martin: And it's quite brutal, even in the fact that it's not for real. I was saying earlier in an interview with somebody who was being appointed that we don't let our kids watch it. Every now and again, my teenage son sneaks down and watches it. I have to tell you, once I turn it off, that kid becomes a madman. He's running around the house doing this and—

Mr Roger Clarke: I'm not laughing.

Mr Martin: Well, it's funny, but it's not funny. They're affected by this. It's a violent thing going on there and it affects our children, I think, in a very real way. Yet we have, for example, the Premier of the province and the mayor of Toronto announcing the coming of a big WWF performance at the—I think it's the SkyDome or something. It's difficult for a parent to tell your kid that this is not something that's appropriate for you to be watching while at the same time the leadership in the province is promoting it as a big tourism attraction for the city of Toronto. Is there anything we can do about that?

Mr Roger Clarke: I view it as promotion of tourism and probably more the purview of the gentleman who was here before me. But in terms of creating standards or not, it's not a standard that I would adhere to.

Mr Martin: In terms of priority for you in reviewing some of these movies, what would be the biggest priority: sexual content or violent content?

Mr Roger Clarke: You can differentiate them, but I don't think you can put two different weights on them. I think they're probably equal. Again, it depends on the impressionability and the age of the mind or the eyes that are viewing it. I admit that I look through the bias of the age of my own children. I would determine what they can see and what they can't see. If I happened to be watching something, let's say on television or something like that, and it was inappropriate, I'd ask them to leave the room or turn the TV off, as simple as that. If it were a movie, I'm just careful about what they see.

The Chair: Mr Martin, just when it's getting interesting, I'm afraid I have to cut you off.

Mr Martin: You always do that.

The Chair: I should warn our guest that I think Vince McMahon monitors this on a province-wide basis. You may be in some trouble for your comments. We'll let Mr Hastings clarify this for us.

Mr Hastings: I'm not going to get too concerned about the WWF. It's an economics thing. If it wants to survive, it'll survive, or die.

I am concerned, though, Mr Clarke, with your views on the classification and rating of videos. The current organization that you want to be a member of does not have that authority, nor a policy-making authority.

Mr Roger Clarke: No.

Mr Hastings: So I'm wondering if you would think an alternative for parents who are concerned about the levels of violence in some video games would be to have some kind of an advisory for the consumer, a caveat emptor approach, and that it be done nationally or through the synergized ratings and classification ap-

proach of the other boards across Canada, because Ontario is maybe 50% of 2% of the world's market when you look at North America or the world. I'm wondering if you would like to reconsider whether the film and classification board ought to be in that area, even if you had the policy purview to do so.

Mr Roger Clarke: With respect, Mr Hastings, you would be asking me to form policy. I don't think that's my role, nor do I think it's appropriate.

Mr Hastings: That's a great relief to hear.

My other question relates to what I consider, I guess, your balanced view as a member of the board in terms of looking at films from the violence-sexual content perspective and also looking at how Ontario is in a very competitive field in terms of its tax credit policy for encouraging digital television and film production. Not just Toronto but other communities across Ontario have become a \$1-billion industry in terms of movie production. There are an awful lot of films made here in Toronto and also in other areas of Ontario. The Legislature in California has adopted a very similar policy to get back a large number of the jobs that we have been able to foster through the tax credits since 1995 for editing and graphics, storyboard, the actual television production, the marketing, the support that goes into these productions. So there are a large number of jobs at stake, and I'm wondering how you view that kind of balance you would play as a member of this board and how you see that set against the context of what has become an enormous industry in Ontario.

Mr Roger Clarke: I'm certainly aware that it's a big industry in Ontario. It's also big on the west coast and I believe Montreal is nipping at our heels as well. With respect, I think it's over \$1 billion; I think it's something like \$1.2 billion. It's a lot of money.

The tax credit thing I believe—correct me if I'm wrong—is a combination of federal and provincial.

Mr Hastings: Mainly provincial.

Mr Roger Clarke: That I think is mainly we've got the currency difference, the value of the Canadian dollar vis-à-vis the American dollar. The Americans in Los Angeles, as I understand, have been complaining, but it's just a vociferous minority. I think Canadian production amounts to something like 10%. It's pretty small. They don't think it is but in reality it is.

Mr Hastings: They don't want us to have any of it.

Mr Roger Clarke: Of course not. Why would you want to give anything away if you don't have to?

Mr Hastings: We are good at this.

Mr Roger Clarke: Yes, I know.

Mr Hastings: It's not just the tax dollars and the credits. We have a very good industry. The Toronto International Film Festival is one of the best in the world.

Mr Roger Clarke: Just from a technical point of view, the crews, if not the best, are among the best in the world. Nobody doubts that. But obviously the Americans would like to see as little as possible outside of their borders.

Mr Hastings: I am also heartened by how you view community standards, that it's not just one homogeneous type of approach around Ontario; that you can have community standards or values that are somewhat different in a large metropolitan area compared to smaller communities. I'm glad you're sensitive to that balance as well.

1500

Mr Roger Clarke: That's the word I would use, actually: balance.

Mr Hastings: Any other considerations you want to advance in terms of how you see your role as a member of this board?

Mr Roger Clarke: I would have to tell you I have no agenda at this point. I'd have to become much more familiar with what's going on before I can even make what I hope would be useful and helpful suggestions.

Mr Hastings: Thank you very much.

The Chair: Thank you, sir, for appearing before the committee. The decision is made in due course at the conclusion of all of our deliberations.

Mr Roger Clarke: Thank you very much.

WINSTON CLARKE

Review of intended appointment, selected by official opposition party: Winston Clarke, intended appointee as member, Ontario Film Review Board.

The Chair: Our next intended appointee is Winston W. Clarke, intended appointee as member, Ontario Film Review Board. You may come forward, sir. You have an opportunity, should you see fit, to make a statement at the beginning, and then the representatives of the three political parties will have an opportunity to direct questions to you. Welcome to the committee, sir.

Mr Winston Clarke: Thank you, Mr Chair. Firstly, I'd like to give the Almighty Creating Elohim glory and praise for living in a country that believes in freedom of expression and also has a Charter of Rights. As one who came from the ghettos of Kingston, Jamaica, strongly influenced by family values, I've grown to respect studying, to show myself improved and to learn all I can before I grow old, because learning is better than silver and gold. And also, make no judgment call until you can prove something and get the facts.

I have lived in an environment which is stigmatized, and my wife and I—and she's right here with me today—have grown five children in the so-called Jane-Finch corridor. However, we realize it's not where you live, it is how you live that matters.

I've brought with me, for those who want to see, the philosophy that has embodied me all my life, that there is only one race, the human race, and helping one another is no disgrace. In order for you to help, you have to equip yourself, and that I did by studying. By profession, I'm a "drug pusher," a pharmacist. Thank you very much.

The Chair: Thank you, sir. We begin this time with the third party.

Mr Martin: Good afternoon and thanks for coming. I just want to know right off the bat why it is that you are seeking appointment to this board.

Mr Winston Clarke: I'm seeking appointment to this board because I received a call from the secretariat indicating that there was an opportunity to be a part of this board.

Mr Martin: So you didn't seek the appointment? This wasn't something that you thought about, that you felt by doing you might have something to contribute to the community of Ontario? You responded to an invitation by the secretariat to do that?

Mr Winston Clarke: Mr Martin, my curriculum vitae, I'm sure, is in your presence, and on my curriculum vitae it indicates my political affiliation. It not only indicates my political affiliation, but also I'm very familiar with past and present parliamentarians and as such I've given my resumé to several people. I just received a call from the secretariat.

Mr Martin: I didn't see your political affiliation in your—

Mr Winston Clarke: Yes, it is on page 6 of my curriculum vitae, sir.

Mr Martin: OK.

Mr Winston Clarke: Do you have it there?

Mr Martin: I do.

Mr Winston Clarke: Take a look.

Mr Martin: So what is your political affiliation?

Mr Winston Clarke: It's there on the paper, sir.

Mr Martin: Could you tell me?

Mr Winston Clarke: Page 6.

Mr Martin: OK. For the record, provincial Progressive Conservative Party, federal Progressive Conservative Party. What's this organization, the Afro-Canadian Progressive—

Mr Winston Clarke: The Afro-Canadian PC Party, as it states there, is an organization that tries its best to get people of African ancestry, African Canadians, involved in the political system, regardless of political affiliation. It's an educational group.

Mr Martin: But it's the Afro-Canadian Progressive Conservative Association?

Mr Winston Clarke: Continue reading it, sir.

Mr Martin: And there's a president.

Mr Winston Clarke: Yes, I'm a former president. I'm no longer the president.

Mr Martin: There's nothing in there to suggest that this is open to—

Mr Winston Clarke: It is, sir, because in actuality it was the Afro-Canadian Progressive Conservative Association that helped Dr McCurdy run for the leadership of the federal party, for your records.

Mr Martin: OK. I wasn't actually going to make an issue of that, but since you brought it up, that's fine and it's no big deal. We're all affiliated. I am proud to be a New Democrat, as you of course are proud to be a Conservative. That's great; that's what makes our political system so rich.

Mr Winston Clarke: As a matter of fact, on September 22 your leader was with me at the function, going back to the Jane and Finch area.

Mr Martin: Yes, excellent.

To go back to the original question, these boards are very important to the public life of this province, and this board in particular, as it reviews the material we all watch. In particular, if you listened to the interviewee before you, we're concerned about what our children get to see, and so we classify movies.

I'm wondering why you would be interested in this particular position, other than an invitation from the secretariat?

Mr Winston Clarke: You see, this board is no different from the profession of pharmacy, which in essence embodies three different categories: over-the-counter prescriptions, regulated prescriptions and non-regulated prescriptions. My day-to-day activity involves that kind of a classification.

One of the things that I respect, after looking at the information on the Web site for the Ontario Film Review Board, is the fact that it's not censorship; it's classification. You can only classify something after the fact. So it's a very objective thing to a large degree, and that was really what got me involved.

Mr Martin: OK. I read your resumé, and you are certainly very involved in your profession as a pharmacist. Is there anything in your background that you think particularly prepares you or sets you aside as somebody who would perform well in this job, that would give you some advantage to do a good job here?

Mr Winston Clarke: As a matter of clarification, sir, I like your word "prepares." That sets me aside, because I am not set aside from anyone. What prepares me for this job is fairness, objectivity, reasonability and self-awareness. That is my experience, in a nutshell.

Mr Martin: Those are all my questions. Thanks.

The Vice-Chair: Mr Mazzilli.

Mr Mazzilli: Thank you for putting your name forward for this appointment, Mr Clarke. As you have said, you want to contribute and this is a board that you feel you can contribute to in Ontario.

Mr Winston Clarke: Most definitely.

Mr Mazzilli: People come before this committee, and political affiliations are always brought forward. It's nothing new, and it doesn't surprise any of us, certainly on this side.

But I do want to say that in the last number of years our party has done a very good job of being a multi-cultural party. I'm of Italian origin. At one time the Liberal Party sort of had a monopoly, if you will, on Italian members. That's not the case any more. If you look at our Legislature, there are more Italians on the Conservative side than on the Liberal side, to no one's surprise. I just wanted to put on the record that political parties have to be multicultural if they're going to be successful, and they have to extend out.

The only thing I do want to say is, are you aware of the time commitment? A board like this will take you

away from your professional life or your family life. Are you aware of the time commitment?

Mr Winston Clarke: Yes, I'm fully aware of that and have had a preliminary discussion with my employees as to what is expected of me, and they are quite flexible in that regard.

Mr Mazzilli: That was my only question. Thank you, sir.

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: Thank you. The official opposition—Ms Dombrowsky, do you have any questions?

1510

Mrs Dombrowsky: Yes, thank you very much.

Good afternoon, Mr Clarke. I noted that you were here when the previous intended appointee was providing answers and you know that I'm particularly interested in the fact that video games are not considered by the Ontario Film Review Board, and I was able to share a couple of instances that had been brought to my attention over the holidays where families were concerned about the content of a particular video that had been purchased for their children.

Do you have an opinion about whether the responsibility of the Ontario Film Review Board should in fact be expanded so that you would also be responsible for providing some direction for parents with regard to the content of video games?

Mr Winston Clarke: Mrs Dombrowsky, one of the most salient points of this board is that it is legislated and, as such, it has an act that governs it. I think the leadership role in regard to the video first should have to come from our legislators or a public awareness educational campaign from, again, our legislators, and from there the board will have given some input in regard to the videos. Because when you look at the facts, 90% of these videos come from the United States. That is a reality. When you look at the facts, as a parent and as a grandparent, regardless of what we try to legislate, we cannot legislate attitude. I don't know about you, but I am a father and I cannot keep up with my children on the Internet. So what I do is educate them as to the negatives and positives of things and allow things to have their way.

Mrs Dombrowsky: Yes, I couldn't agree with you more. I also agree that it is the responsibility of legislators to introduce legislation that gives direction to bodies like the Ontario Film Review Board.

Mr Winston Clarke: Precisely.

Mrs Dombrowsky: I guess I'm just asking you today for your opinion. Do you think it would be appropriate for a board such as the Ontario Film Review Board to assist consumers of Ontario, particularly parents of young children, so that when they purchase video games they might have some understanding about the content of the game they're buying for their children?

Mr Winston Clarke: Mrs Dombrowsky, in fairness to you, I don't really have an opinion on the matter. I believe in the educational aspect and that's all I've been

doing and that's the approach I've always taken. I don't have an opinion on it.

Mrs Dombrowsky: I don't disagree that certainly parents have a responsibility to educate their children about the appropriateness of violent behaviour and the consequences that would bring, but what I am suggesting is that we have a responsibility to assist parents who might want to have some control about the product that they buy for their children. They'd simply like to know, and you indicated in your opening comments that this is not about censorship. I'm not suggesting that in any way the government would introduce legislation that would dictate to families what they could or could not purchase for their children. I was simply wondering if you had an opinion about how appropriate it would be for parents to have that information when they buy video game products, as opposed to when they buy video movie products where they do have the benefit of that rating system having been applied, to assist them to make an informed purchase.

I was simply asking if you had an opinion about whether it's time now to consider that as our times change. Perhaps when the act was contemplated and written, video games were not of the nature or the sophistication that they are now. Do you have an opinion on that?

Mr Winston Clarke: Very good food for thought for the future. If you elected me to be part of this board, I'd definitely do research on it and by then I'll formulate an opinion. But right now I don't.

Mrs Dombrowsky: I do appreciate the candidness of your answer. Also you probably heard me ask the previous intended appointee about the debate that there is within the province among some about the relevancy of the review board. First of all, have you heard about the debate? Have you had an opportunity to participate in any of those conversations? Maybe you could just give us some comment. You obviously would be an advocate of the board or you would not seek to have a role on it. Maybe you could share with me why you would be able to defend the role the board plays within the province at this time.

Mr Winston Clarke: In order to defend something, you have to know the facts. I am not familiar—I am not on the board, so I cannot defend a position that I don't have any facts about. I don't know if you want to reword your question, but I hear the word "defending." If I'm nominated and appointed to this board, what I'll ensure, with my fairness, objectivity and reasonableness, is that the interpretation of the Theatres Act be implemented, because that is one of my primary functions, to interpret and apply. The policies and directives of the board are different from the actual legislation.

Mrs Dombrowsky: Forgive me, Mr Clarke, for not being clear. I will try one more time, then. There are those who would say that the Ontario Film Review Board really is meaningless, that it has no business placing standards on any artistic work, that that should be up to individuals. Then there is another school of thought that

in fact the film review board is quite lax in its responsibility and is presenting or indicating material that would be suitable for viewing by younger people that is totally inappropriate.

You are here today because you want to be a member of that board. I'm sure if you heard either of those conversations, you would want to give some defence of the role of the board, because you want to be on the board. So that's what I was hoping to hear from you.

Mr Winston Clarke: OK, but you see, this is why you legislators made the community standards world so broad-based. In a democracy, you have opinions and you will always have a positive and a negative side to give a balance.

Mrs Dombrowsky: That would conclude my questions.

Mr Gravelle: Do I have time here?

The Chair: Yes, you have until 20 after.

Mr Gravelle: Good afternoon, Mr Clarke. You made reference to the legislation and the Theatres Act, but I think one thing that's very interesting about the Ontario Film Review Board is that you're asked to interpret community standards. You're asked to define community standards, in that sense. Perhaps it would be fair to say that's a movable sort of area, depending what community you're from.

The question I would have is, are you comfortable with the fact that the role of the board is to define what are community standards? Because there are certainly people who have said the board is letting films go out there and be seen by people they shouldn't and there are others—there was a very recent film from France called *Fat Girl* which was praised by the critics but did not get the approval of the film review board because the director was told to make a certain cut, which the director would not make. Many people felt, "Gee, this has been approved in Quebec and other provinces," so it was a whole definition of community standards. That particular film got a lot of publicity, in fact, because it was not shown. It was a big favourite at film festivals. Are you comfortable with the whole role, which is to, in a way, define community standards, outside the legislative framework—just define them yourself as a member of the board?

Mr Winston Clarke: Most definitely, because it allows me a certain level of flexibility, and I can apply fairness to that flexibility after seeing something. The community that I'm from is very close to Mr Mazzilli's community. Why? Because the Italians and African Canadians live close, especially in the neighbourhood where I live. So my community might be different than somebody living up north. When a northern person comes on that board, along with somebody from the Jane and Finch area, it gives a certain level of balance, and then we can take it from there.

Mr Gravelle: But is it your sense, if I may ask you as well, that the standards expressed so far by the films out there, with whatever ratings, have been standards you approve of? Have you had an opportunity to draw an

opinion as to whether or not the work the board is doing now is being done well? Perhaps you haven't had that opportunity yet, but—

Mr Winston Clarke: Not really, Mr Gravelle, but there's always room for improvement. In everything we do there is always room for improvement.

The Chair: That concludes the questioning and comments by the three political parties. Therefore, I will say, sir, that you may step down.

Mr Winston Clarke: Thank you all for allowing me the privilege.

1520

GORDON CHONG

Review of intended appointment, selected by third party: Gordon Chong, intended appointee as member, GO Transit board of directors.

The Chair: I'm trying to think whether I should leave the chair or not. I wanted to ask a question of Mr Chong about GO Transit going to St Catharines and Niagara Falls, but maybe one of the other members will ask that question.

Mr Hastings: I'd be happy to do that.

The Chair: Mr Hastings will help me out by asking that question. Good.

Mr Chong, you may come forward, please. Mr Chong is the intended appointee as a member of the GO Transit board of directors. Welcome to the committee, sir. I believe you know the procedure we follow, that you may make an initial statement and then members of the committee direct questions to you after. Welcome to the committee, Mr Chong.

Dr Gordon Chong: Thank you very much, Mr Chairman and members of the committee. I appreciate the opportunity of appearing this afternoon in seeking the chairmanship of the new GO Transit board. You've got my CV, and what I'll do is hit the highlights as to why I think I'd make a good chairman of the new board.

I was a member of Metro council for two terms, the new city of Toronto council, and served on the TTC for four years, one of them as the vice-chair. In the last year, as you all know, I was chairman of the Greater Toronto Services Board. One of the unfortunate things is that in the last several years, each institution I've belonged to has disappeared from the face of the earth. I'm hoping that if I'm fortunate enough to be made chair of GO Transit, that's not an indication of things to come.

I think this is a great opportunity for myself and the new board to continue the work that was initiated at the Greater Toronto Services Board by the previous chairman, Alan Tonks. I was just fortunate enough to pick up where he left off.

I would say that in the last 10 years, both at a municipal level and a provincial level, initiated by all three parties of the province, transit in the greater Toronto area and in Ontario has been studied to death. I would hope that we can finally do something to solve the transit

problems that the greater Toronto area is facing and, by extension, into Hamilton and Niagara, and probably St Catharines as well.

You no doubt are also familiar with Removing Road-blocks, the document that was put forward by the Greater Toronto Services Board. Subsequently, Entra Consultants did a study that indicated how we could proceed to relieve some of the congestion in the greater Toronto area and Hamilton. After Entra, we have finished the first part of the third phase, a study by McCormick Rankin Corp that has indicated bus rapid transit is the way to go in terms of dealing with some of the transportation problems in the greater Toronto area because it would give us the biggest bang for our buck in terms of getting commuters onto the GO system as feeders, and across the 905 area between Durham and Halton in the GTA and Hamilton further west.

I would hope that the committee would concur with the recommendation from the minister so I would have an opportunity to finish off some of the work that was initiated at the Greater Toronto Services Board. I would be happy to answer questions.

The Chair: We begin with the government party.

Mr Hastings: Dr Chong, it's good to see you here again. I'm sure that you'll be successful. Thanks for coming. I have a couple of questions for you. One, how do you see your role in terms of developing a very creative, continuously innovative strategy involving the federal government in terms of financing rapid transit and the connects between in urban areas such as the greater Toronto region? And would you seek to get some monies for the expansion of the transit from, say, Hamilton to St Catharines? I did promise my friend here that I'd ask that question. Would you be interested in trying to involve and get transit expansion to St Catharines, with the caveat that we can get some real federal dollars on a continuing basis in this drama?

The Chair: I don't think that's exactly the way I would have asked that.

Dr Chong: No, I didn't think you would have asked it that way, either.

I think all three levels of government have got to be in the funding game—the federal and provincial governments. But I think there's also an opportunity for the private sector to play a role as well. I don't believe the private sector is a panacea, any more than I believe government funding is a panacea, but it's pretty clear over the past little while that federal and provincial governments either don't have the wherewithal or are unwilling to finance as much as they could. So I think the private sector, being driven by the public sector and monitored and controlled by the public sector, has a role. If I'm fortunate enough to be chairman of GO Transit, one of the things I would do is to make sure that we have as much government funding as we can possibly get, act as an advocate for that, but at the same time involve the private sector, because it's becoming pretty clear that we're not going to function without a private sector role.

Mr Hastings: My next question relates to the role of alternate fuel technologies in rapid transit. Do you see a

role for alternative fuels, whatever might be the most convenient and have the most impact? If you look at Australian cities right now, it seems to be natural gas, CNG, and some hydrogen is being used in demonstration projects in Chicago and California. Do you see, with private sector involvement, good opportunities here, and would you provide leadership in trying to make some changeovers in transit using new technologies, given the type of challenges we have with air pollution etc?

Dr Chong: I think alternative fuels need to be explored, but the reality, from the information I've gotten from engineers, notwithstanding the project that was launched in the United States just recently that may or may not benefit Ballard and Hydrogenics in Mississauga, is that the alternative fuels that are being researched are probably quite far off down the road before they're going to be of sufficient importance that they can be used in mass transit.

Mr Hastings: Even natural gas?

Dr Chong: No, no, natural gas is being used, but with the low sulphur and the diesel that is being used now, the emissions compare very favourably to natural gas. From my understanding, the alternative fuels are so far off that, for the very near future anyway, we're still looking at improved diesel fuel, but obviously low sulphur and low emissions. In fact, GO Transit has voluntarily paid for the more expensive low-sulphur fuel.

In the bus technology, the hybrid technology that's available now in the advanced bus systems clearly is the way to go. I'm hoping that bus rapid transit will be the technology that's finally chosen to be used in the greater Toronto area, especially along the 905 corridors.

Mr Hastings: Well, Dr Chong, I think you will be pleasantly surprised—at least I'm hoping so—by some very interesting research and recommendations coming from the alternative fuels committee that will help you along the way in your job in this area.

Dr Chong: I hope so, as long as it's—

Mr Hastings: It's coming out in May.

Mr Johnson: One of my hang-ups, I guess, is that when I think of transportation, I think of ridership. Yes, we have three gauges of rails around and things to go on. On the chairman's behalf, I wouldn't want to eliminate the possibility of these fast boats that would come from St Catharines to Toronto and so on. GO can do that, or anybody else. But it seems to me that it's ridership, and I don't know that we have his promise to ride rapid transit from St Catharines to Toronto if it were there. I know that now he must use the bus, public transportation sort of thing.

But seriously, my question is, what's your vision on ridership? It seems to me that we need people, we need more of them, to make those alternative transportation systems work, because, yes, we can push government money into them, but they need ridership to carry on in the future.

1530

Dr Chong: The ridership is there for GO. Even though some of the service isn't as good as we'd like it—

because if peak-hour service is not great, they lose a lot of customers—there are enough people coming on to the system that ridership has increased in the last several years. It's over 40 million annually now.

If GO can expand its service, expand not only its train service but its bus service, and deal with the GTA problem, if public transit provides service that is faster, more convenient and reasonably priced, we can get people out of their cars. If we have a bus service along the 407 or anywhere else, and the buses are zipping past cars that are stationary, it won't take long before the people who are sitting in their cars will decide, "We're going to give it a try." I think that with the bus rapid transit concept that has been put forward, and if GO Transit can expand its service as well, the people who are frustrated on our expressways and freeways now, who take a couple of hours to get to work and a couple of hours to come home, if the alternative is there for them to move to and from work more quickly, I'm positive the ridership will go up, notwithstanding sometimes a downturn in the economy. The TTC has found it the same way, and I'm sure GO will as well.

Mr Mazzilli: I have just one quick question. You alluded to the fact that, with everything, peak hours is the issue. In this case, how do you move a large number of people between 7 and 9 in the morning and then back between 4 and 6? What sort of initiatives do you see GO taking to focus in on its key times?

Dr Chong: GO is going to have to make sure that it gets co-operation from the local transit authorities as well, for instance, TTC in the city of Toronto. If we can build a bus rapid transit system across the 905, if we extend the service north of Finch, and we build the extension of the Spadina to York University and to the Vaughan Corporate Centre to hook up with the 905 service, then the people who don't have the opportunity, the choice, to ride public transit now will, I believe, be induced to use it and get out of their cars. I think co-operation between GO and local transit authorities like TTC—and GO does have a relationship with Mississauga Transit now that provides feeder service into the GO service. The more that we can get all the local authorities working together with GO, with a view to solving the big-picture problem, rather than having it fractured, as it appears may happen if we don't get hold of it now—last week, you'll probably recall that there was a meeting in the GTA west. GTA west mayors are forming a transit group. York region has a plan that has come forward. So we need to get hold of this as quickly as possible to regain some of the momentum that has been lost with the dissolution of the GTSB.

The Chair: Thank you very much. I regret that the time has actually more than passed. We must move to the official opposition.

Mr Gravelle: Good afternoon, Dr Chong. You made reference at the very end of your remarks to momentum that was lost. It brings to mind the fact that the province withdrew from funding public transit, I guess, back in 1996. There was a real gap when they went through the

realignment of services, or the downloading, as we more commonly call it.

Could you tell me what the impact of that was? It was certainly a great challenge, and obviously, with your experience with the TTC, that would be interesting. I presume you fell behind further, and that itself is difficult to make up. Is that a fair statement?

Dr Chong: The devolution of the responsibility of funding public transit to the municipalities clearly made it impossible for some municipalities to do any expansion. It was also difficult, as many previous chief general managers of the TTC have indicated, to even maintain a state of good repair.

Not being in the provincial government, it's very difficult for me to comment on whether it was a decision they made, having thought through it and reflected on it carefully, or whether it was for some other reason. Nevertheless, now that the province has seen fit to take back GO Transit funding, there may have been a year or two where we didn't move ahead in public transit as quickly and effectively as we could have. But if the political will is there, meaning the co-operation of municipalities as well, to fit into a comprehensive, holistic scheme to deal with transportation problems in the GTA, I think the time can be made up. They had 10 years prior to that, prior to the provincial government downloading transit funding to the municipalities. The previous governments as well—there was no expansion. There was study. There was study after study, and notwithstanding the fact that I have some friends who are in the consulting business, the only people who really got much out of it were consultants, because each successive study that came along basically rejiggered or updated numbers that had been used in previous studies. So I think it's time to stop studying and get something done.

Mr Gravelle: Certainly I can tell you that in opposition I was the transportation critic for a while and we were trying very hard to get the government to return to support of public transit. May I tell you, even as a member from Thunder Bay, a smaller community than Toronto and the GTA, that the impact of the loss of capital funds of 75% was enormous on that community as well.

I noted that the Greater Toronto Services Board, in I think June 2000, put forward a 10-year capital plan of around \$983 million, close to \$1 billion. Even that was basically kind of a hold-the-line maintenance budget. It wasn't factoring in the expansion that we expected or perhaps want. This puts even more pressure on to receive support, I presume, by all levels of government then.

Dr Chong: I agree. The only way we're going to move ahead is twofold: a recognition that funding is required irrespective of which level it comes from, plus the private sector, and the political will. The parochialism that has at times dominated the municipal level clearly is going to have to be set aside. We were moving that way with the Greater Toronto Services Board in the transportation area especially because (1) the GTSB was mandated to deal with transportation and had GO Transit

as its only real authority, but (2) because there was a recognition by local governments and regional governments that the state of affairs in the GTA and Hamilton area had reached a stage where something had to be done because the public was getting fed up with spending the amount of time on the roads that they were. So the public outcry started to pressure politicians at all levels.

Mr Gravelle: Do you think it's realistic to expect the municipalities to find \$3 billion over the period of time that is expected? When the Premier made the announcement in September about the \$9-billion public transit plan, I remember being somewhat taken aback because it was clear that there hadn't been the discussion with or agreement with the federal government, and I didn't know whether or not the municipal governments had also done so. So I must admit I thought at the time that the Premier should be a little more straightforward about it. He was announcing presumably \$3 billion over 10 years for the province's commitment, not \$9 billion. That led me to wonder, certainly, how the municipalities should respond to that—whether you think it's realistic for them to do so. Nobody argues with the need, that's for sure, and I certainly am one who believes that the province should never have stopped supporting public transit. Do you think that's realistic?

Dr Chong: Municipalities don't have the wherewithal to raise that kind of money, which is why I think the private sector is going to have to play a role. But where municipalities can make a contribution: let's just take Toronto and the greater Toronto area. Each municipality, whether lower-tier or upper-tier, is going to have to set aside their personal parochial interests and look at the greater good in the greater Toronto area and beyond.

1540

As I said, the people at the GTSB, in that one issue with respect to public transit and transportation, were moving in that direction. We have to make sure we capitalize on the momentum that was built up there, and municipalities have to make that commitment. What I see since the announcement was made back in September is that there's a gradual sort of splintering, where people are starting to go their own way again. What we have to make sure of is that we bring them back together so that they will in fact regain or recapture the mindset they had at the GTSB and say, "Hey, you know what is going to be good for Markham or York region or Halton is in fact going to be good for the GTA, is going to be good for the Golden Horseshoe, is good for Ontario."

The fact of the matter is, and I'm not telling any of you anything you don't know, because the Toronto area is the economic engine, people are going to have to realize—and the federal government as well is going to have to stop saying, "Well, if we give Toronto this, what are we going to do elsewhere?" If you can make a rational argument for giving the economic engine of the province and the country that funding, well, if it's a rational argument, people will have to accept it. If Toronto goes down the tubes, if the GTA goes down the tubes, what's going to happen to the rest of the country? It's the biggest urban area we have.

Mrs Dombrowsky: To follow up on that point if I might, Dr Chong, I couldn't agree with you more. You've indicated that in order for this initiative—and I agree with you as well when you've indicated that this has been studied to death. Also, for me as a relatively new member of the Legislature it's been sort of like watching a game of tennis or ping-pong. First it's the province's and then it's the municipalities' and now it's the province's again.

You've already indicated that obviously the political will, the designated funding—but I think what we need as well, and perhaps that's what you referred to in your closing statements to Mr Gravelle, is a concerted effort, not simply someone saying, "And the federal government will put in this much," or the provincial government saying, "And the municipalities will contribute 30%," but rather that those figures are arrived at after there's been some good discussion and understanding about who has what resources and what's more reasonable for each partner to bring to that table, and also considering the private sector interests.

Would you say your role as chair is largely to effect this kind of dialogue among all the partners to make sure that you move forward? I get a little concerned when I hear about the splintering that you speak about. I think it's time to leave the studies on the shelf and move forward together. But that's not just one small group saying, "Oh, and we'll get this from them and this from them." You have to go to them and say, "How can you help us and work with us?"

Dr Chong: I agree. I think that one of the most important things I could do if I become the chairman of GO Transit is to continue the dialogue that was set up. I had had numerous conversations with Minister Collenette and with people at the province.

Once we get past the turf battles, I think there is clearly a recognition that we have to come to the rescue of our urban areas. I think, rather than having constitutional fights, we're going to have to make some institutional adjustments, some institutional accommodations so that the federal government, once it can rationalize what it wants to do in terms of the urban agenda, can get back in and the province as well puts its appropriate funding in. Once we've figured out what a master transportation strategy should be and have it costed out, we can say that the federal government is in for this, the provincial government is in for this, and we can go to the private sector as well. But the only caveat is that the private sector and public sector arrangements have to be a win-win; it cannot be driven solely by the private sector. The public sector has to retain control.

The Chair: That concludes the amount of time allocated to the official opposition. We move to the third party.

Mr Martin: This is all a very interesting exercise and obviously very complicated. The challenge before us here this afternoon is to consider your appointment as chair of this very important organization.

You were the chair of the Greater Toronto Services Board—and correct me if I'm wrong—that, for various

reasons, failed in its attempt to pull everybody together and make this thing a reality. The provincial government, I'm guessing, thought that the involvement of the municipalities was problematic; they weren't able to get them all around the table moving in the same direction. There was a concern about funding and I would guess that the funding is probably the wild card in all of this all the way through. You said a few minutes ago that if you could get everybody to agree and stop the sort of turf war here, we might be able to move forward.

What is there in the new formula to convince us here today, given that you weren't able to do it under the old formula, that you're going to be successful now and that we won't be sitting here in two or three years or even a year from now under a new government considering a whole new scenario with perhaps another chair or yourself again being appointed to chair yet another attempt to make this happen? How can you give us the comfort here that you're going to be able to do that job?

Mr Chong: I'll go in reverse order. I don't think I'm going to be sitting here in a year or two or three years auditioning for another job. I'm not looking to be the chairman of GO Transit; I'm looking to do something for the GTA. I disagree that the GTSB failed in the transportation area. The GTSB probably failed because it took too long to start to bring people together and there was so much resistance from various parties with respect to the GTSB gaining additional authority that if there was a failure, that's where the failure was.

With respect to transportation and transit, there was a coming together in the last two years prior to my arrival at the GTSB, and all I did was pick it up from where Alan Tonks had left off, and in the last year we had approved a general strategy for bus rapid transit, and we had done the first part of the final phase of the study that would implement bus rapid transit across the GTA. So to characterize the transportation side of it as a failure I think is wrong and is unfair.

Funding is clearly an issue, but where we were coming together, either with federal-provincial funding and/or the private sector, we would have ultimately put a master plan on the table to be considered. So had the GTSB continued, say, for another six months to a year, that would have been on the table. It was clearly curtailed in its efforts to do that, but now that the new board has been expanded—and I have no insight to know precisely what the provincial government is thinking, but I would suspect that there is a will and if I'm on the board, as long as I'm on that board, I will try to pick up where the GTSB left off and solve the transportation problem that's affecting the GTA and into the Hamilton-Niagara area.

Believe me, whoever is sitting around this table in two or three years will not see me auditioning for another job.

Mr Martin: The issue still exists though that there is a turf war going on between the various jurisdictions and who's going to pay for what. You've mentioned today that the introduction of the private sector to the formula might be helpful.

What's to convince us here today that, given a new board and another attempt at this and the fact that you

were chair of the last attempt, you're going to be able to give the leadership that's required to resolve the turf wars that are happening so that we can get this done? It may not have been a failure, but it didn't happen. I don't think there's anybody who experiences the GTA today who doesn't understand the need to be moving yesterday on solving some of our transportation problems. I come in every Monday morning from the airport to get downtown. Depending on when I get there and what the weather's like, I could be in traffic anywhere from 45 minutes to an hour and a half. That's a problem; it's a problem for people wanting to do business in Toronto from other jurisdictions.

1550

We need to get this done. There's a turf war on, obviously, between different levels of government. You're suggesting the private sector may be a card thrown in that might solve some of the difficulty we're experiencing. My sense of it is that until we get perhaps new leadership in the present provincial government with a different attitude toward the federal government, and a federal government that really believes that Toronto is the engine that drives the Canadian economy, we won't get anything constructive or positive out of this.

I guess the question again is, what is it that you now will be able to do or want to do to solve some of those difficulties and that turf war to get us where we need to be?

Dr Chong: I think you've probably been in politics long enough to realize that it's the nature of politics to have conflict from time to time within a level of government and between levels of government. If I'm not mistaken, the NDP were in power for a number of years, did not solve any of the transportation problems either and basically commissioned studies that have been studied and studied. So I will bring as much enthusiasm and energy to it to try and bring people together that I can possibly do, but to try and characterize it all as a failure I think is extremely unfair, for you to put it that way.

All I can do is say that I'm going to put forward my best effort. I think I have the energy to do the job; I think I have the knowledge and experience to do the job; and based on the conversations I've had with the federal government and the provincial government and the private sector, I think we can make it happen. But it isn't going to happen because one person, whether it's me in the chair or someone else, has decided that they're going to try and make it happen; it's going to require co-operation from all levels of government. But I believe that the greatest co-operation that's going to be required is within the municipal sector. If we can get the municipal sector and the GTA to start to come back together and work the way they started to work and come together with the GTSB, I think we can solve it.

Mr Martin: So what are you going to bring to the table now that you weren't able to bring to the table when all of those players were around the table in the GTSB, that will make that happen at this particular point in time, given that you're going to be in a role of leading this exercise?

Dr Chong: OK, I'll recap. The GTSB was on its way to success, I believe, in the transportation area. If we had had the opportunity to finish off the final phase of the study to bring a master plan into being, that would be there. So I believe that's a success. The second thing I think we have to do is to negotiate with the federal government and advocate on behalf of the GTA and the urban areas in Canada, but in my role specifically in the GTA in Ontario, that they have to come back to the table. There has to be funding and they're going to have to start to work with the provinces, including Ontario.

I don't know what more you think I can bring to the table; I don't know what more you think you might bring to the table in trying to solve this, but that's my answer. I've answered the same question several times with the same information.

Mr Martin: I'm not seeking this job, so I'm not suggesting I can bring anything to the table. But I am suggesting that at some point the provincial government decided the GTSB approach wasn't going to work, because they pulled the plug on it.

Dr Chong: Then you should ask them. That's not a decision I made.

Mr Martin: In turn then, in doing that, they're taking some of the previous leadership and applying it to this round of activity and expecting that they're going to get something different from that.

Dr Chong: You play until you can't play.

The Chair: Thank you very much for your questions, Mr Martin. Mr Chong, that concludes the questions from the members of the committee. Thank you very much for being with us today.

We will now move to the consideration of the appointments, and I'll do them one by one this afternoon, of course, as we usually do.

The first is the intended appointment as a member of the City of Kenora Police Services Board, Mr Mark Duggan.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion of Mr Duggan's selection? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

The next one is Mr John R. Williams, intended appointee as chair, Ontario Tourism Marketing Partnership Corp board. Any discussion?

Mr Wood: I move concurrence.

The Chair: Oh, sorry. First of all, concurrence has been moved by Mr Wood. Thank you, Mr Wood, for your kind assistance.

Any discussion? If not, we will vote. All in favour? Opposed? The motion is carried.

The next is the intended appointee as member, Child and Family Services Review Board, Shirley Fahlgren.

Mr Wood: I move concurrence.

The Chair: Any discussion of this appointment? If not, all in favour? Opposed? The motion is carried.

The next is the selection for the intended appointee as member, Ontario Film Review Board, Roger N. Clarke.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion? All in favour? Opposed? The motion is carried.

The next is the intended appointee as member, Ontario Film Review Board, Winston Clarke.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, all in favour? Opposed? The motion is carried.

The final one is the intended appointee—I should clarify this, by the way, for members of the committee. The certificate reads “Intended appointee as member, GO Transit board of directors.” It’s my understanding that the minister makes the decision as to whom the chair will be. So if we agree, we’re appointing him as a member of the GO Transit Board of Directors, Mr Gordon Chong.

Mr Wood: I move concurrence.

The Chair: Concurrence has been moved by Mr Wood. Any discussion?

Mr Martin: I make the case in this very important initiative and work that if you’re going to take a fresh run at a problem that has presented as almost insurmountable, given, as the intended appointee presented, the turf war that is going on, and there is nothing new being brought to the table by way of strategy or approach by the intended appointee, then my question is, why are we doing that and why wouldn’t we perhaps be considering somebody else who has some new strategy or thought or obvious ability to bring the players to the table in a way that will see them commit to actually seeing this thing done? So I’ll be voting against this appointment.

Mr Hastings: I would just like to comment, in response to Mr Martin’s comments, that I’ve known Dr Chong for a good number of years, and when Mr Martin says there won’t be anything new accomplished, let me tell you that if you know this gentleman at all, assuming he gets appointed, assuming he becomes chairman if the minister decides, he will do an excellent job in terms of providing effective leadership for advancing integrated public transit across the GTA and other areas in Ontario. He worked very effectively as a member of the board of the TTC and as a member of council in Metropolitan Toronto for many years. He is a respected member of the dental profession and he is also a respected professional in terms of being able to see other people’s viewpoints, and they see his. There is a strong degree of mutual respect there. He has the experience and he will provide vigorous leadership in getting some of these problems dealt with.

Mrs Dombrowsky: With regard to the intended appointment, I would offer these thoughts on some of the points that have been made with regard to the appointment of Dr Chong. I would suggest that because the Premier has abolished an entity, in my mind, does not necessarily confirm that the board, the commission or whatever was not doing its job. I would offer as an example the community care access centres that were disbanded. I think they were working very effectively.

I believe that Dr Chong and representatives from the greater Toronto area would agree that while the work of the previous board was perhaps not moving along at a pace others had hoped or anticipated, in fact it was moving in a direction.

I am also of the mind, when dealing with an issue that is of such great importance, that while certainly looking for experts in the area, there’s great value in engaging people who have some significant background and connection to the issue that is going to be managed. For that reason, I will be able to support Dr Chong.

1600

Mr Gravelle: Let me just add, if I may, that like so many others, I thought it was very wrong for the province to pull out of support for public transit. I do think that Dr Chong, even in his discussions with us today, probably understands better than most the impact that had. I do think his experience and leadership will probably be very useful in trying to guide this process forward. It’s going to be an extraordinary challenge from the provincial point of view. He was certainly clear about the challenges to the municipalities as well. I also feel quite comfortable in supporting him for this position.

The Chair: Any further comment? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

Mr Martin: Just a further piece of business, if I might, before we wind down for the day.

It’s been brought to my attention that the government, in reconstituting the community care access centres, is going to make appointments to those access centres for a year at a time in order to bypass the possibility of those appointments being brought before this committee. That may turn out not to be the case, but I have it on good advice that that is what is happening and going to happen.

I would suggest, out of respect for the work this committee does and the importance in the whole process of this place of ensuring that everything this government does under the aegis of the Legislative Assembly is above-board, is accountable and responsible and that we’re doing our job here in making sure that those who are appointed to these boards and commissions, and those boards in particular, are the best quality possible, I’d like to put a motion on the table this afternoon for consideration of the members. Maybe the clerk could distribute the motion to folks so they can read it.

I move that the standing committee on government agencies insist that appointments to community care access centres be subject to review by this committee of the Legislative Assembly, whatever the length of time of the appointment.

Mr Wood: Mr Chair, I don’t think this motion is in order. We can only deal with matters that are referred to us by the standing orders. I don’t think this motion is in order, and I would ask that it be ruled out of order.

The Chair: I will consider that. In fact, I have had an opportunity to look at the motion. Mr Martin was kind enough to share it with the table, as I guess we would call

ourselves, or the Chair up here. I have had a chance to review the standing orders as they relate to the specific motion Mr Martin makes.

The standing committee on government agencies is empowered to meet for the purpose of considering intended appointments pursuant to the procedures set out in standing order 106(e). The procedures specify, as a starting point, the tabling of a certificate listing the name of the intended appointee; the related agency, board or commission; the position description; and the person's qualifications. The procedures specifically exclude from committee review both reappointments and appointments for a term of one year or less. The committee does not have the power to amend the standing orders that set out the procedures nor does the committee have the authority to insist that certain appointments be referred to the committee if the ministry has not proposed them by way of a tabled certificate.

Therefore, considering the rules that govern this committee—the standing orders of the Ontario Legislature—I have to rule the motion out of order.

Mr Wood: I wonder if I might, however, offer a comment. The Legislative Assembly committee is considering the question of how to enhance the role of the private members, and Mr Martin may well want to make this suggestion to the Legislative Assembly committee, who do indeed have jurisdiction to consider that, and recommend changes to the standing orders where they deem it's appropriate. So you might want to take that up with the committee and seek their support because they indeed are empowered to consider the issue that you've raised.

Mr Martin: Could I, in turn, Mr Chair, because this is really—

The Chair: It can't be on this motion, but on this matter. You're not on this motion.

Mr Martin: OK. Thank you for the suggestion. I will follow up on that. I think it's important, though, that this committee understands what's going on here, that the government has found a way to not bring those appointments before this committee, boards that will be very important in the delivery of long-term care and home care.

Is there no way I can ask for unanimous consent of the committee to actually table this motion or to ask for unanimous consent to send a message of this nature to the government?

The Chair: It would be my guess, with the help of the clerk, that the committee may express an opinion on any matter it wishes to express an opinion on. This specific motion which gives direction would not be in order. However, it would be my understanding that if the committee wishes to pass any motion that is within the rules of the Ontario Legislature and expresses an opinion to another part of the government or to the Legislature, it may express that opinion.

Mr Gravelle: I just want to make sure what has just happened, Mr Chair. Because the appointments, I understand, are going to be for a year or less, they therefore are

not appointments that have a requirement to come before us. Is that the essence of this?

The Chair: That is what the standing orders say.

Mr Gravelle: Right. In other words, then, the government has managed to avoid having these members of the CCAC, the ones they will recommend, brought forward. They quite deliberately then made appointments—

Mr Johnson: That's a stretch. That's only according to him.

Mr Gravelle: No. It seems to be actually pretty clear that they've obviously taken advantage of the standing orders, in other words, in making appointments that would not be required to come before us.

The Chair: That is correct. I was looking at Mr Johnson as one of the—

Mr Gravelle: I think, that being the case, we should make some—clearly, these—

The Chair: Order, for a second. I just want to clarify that we are dealing with section 106, which deals with committees specifically, and the relevant part that is found in it is in brackets on page 76: "excluding reappointments and appointments for a term of one year or less." That's pretty clear. However, we can express whatever view we wish.

Mr Mazzilli, I'm interested in your comment, and Mr Hastings, I think you had a comment, did you?

Mr Mazzilli: Certainly, Mr Chair, the only thing I want to say is that the point Mr Martin has raised is strictly hypothetical at this point. Why would we not wait to see if in fact what he's raising fits the criteria and then deal with it in due course under whatever standing orders or whatever mechanism there is to object to certain things?

The Chair: Any other committee members have a comment? Mr Gravelle? Again, just to clarify, the motion has been ruled out of order. We're now into an interesting general discussion.

Mr Gravelle: I take it that Mr Martin must have received the information from somewhere. That's certainly an expectation. But I have been operating with the expectation that indeed we would have an opportunity. This committee is formed in the Legislature to deal with appointments, and under the piece of legislation that was forced through the Legislature before Christmas, I was making the assumption that we would have the opportunity to interview those appointees. So I would think we would want to make a request. I don't think it would be inappropriate for us to make a request to the government that we be given an opportunity, that we would be pleased if we were given an opportunity, to interview those people who are appointed to those positions.

I don't think that's out of line. Again, there's an expectation, I think, from the public that we would have that opportunity in order for this committee to be able to do its work.

The Chair: Subject to contrary information from the learned clerk of this committee, however, I must say that if the government chooses to have the term for one year or less, this committee cannot at this present time deal

with those appointments. It would seem to me, and I stand to be corrected, that the only way this could be avoided is if the government made a choice to have the term limit over one year, rather than one year or less—in other words, two, three years or whatever it happens to be. Otherwise, it would not fall under the purview of this committee, as I read the standing orders. I do not think the government or this committee or anybody else can, unless the rules specific to this standing committee, or to this committee's standing orders, are changed, or unless the government chooses to make an appointment in excess of one year. It would be impossible for this committee to deal with it. Would I be correct, Mr Clerk?

Clerk Pro Tem (Mr Douglas Arnott): Yes.

Mr Hastings: I'd just like to say that I appreciate the concern Mr Martin has raised, but I think it's premature, to say the least. I think you've ruled correctly in terms of what the committee can and cannot do and I think we should wait. If you want to use a quick analogy, the hitter can't hit the ball till the bowler has bowled the ball. So I would say let's wait and see what occurs.

In the meantime, I think Mr Wood has made an excellent suggestion to Mr Martin that he pursue this matter, not just for CCACs; it could be for any matter regarding the purview of how committees operate. Perhaps members might like to make submissions either formally or informally. I'm not sure how the Legislative

Assembly committee is meeting, but certainly this is an issue that should be dealt with there because this would affect more than just this committee in terms of the standing orders. So I think we're sort of poking at thin air here and making a calculation based on—perhaps he has some information we don't have. Let's see what the information is. Let's see what the folks come up with before we make a premature judgment.

Mr Martin: Yes, I accept that advice and will look into that and see what it would take, etc. But I would also, in keeping with, I believe, the spirit of Mr Wood's comments that we protect the rights of individual members here to participate in a fulsome way in the legislative process—members of government might want to look into this as well to see what's going on and perhaps bring it back to next Wednesday's meeting when we will gather again. I certainly will bring back whatever I can find that is of a more concrete nature so that we can perhaps have another discussion about it. OK?

The Chair: OK, that concludes our discussion. Is there any other business before the committee? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? The motion is carried.

The committee adjourned at 1613.

CONTENTS

Wednesday 16 January 2002

Subcommittee reports	A-261
Intended appointments	A-261
Mr Lloyd Jacobs	A-261
Dr Suhas Joshi	A-265
Ms Marlene Hogarth	A-268
M ^{me} Linda Cloutier	A-271
Mr Mark Duggan	A-275
Mr John Williams	A-279
Ms Shirley Fahlgren	A-284
Mr Roger Clarke	A-288
Mr Winston Clarke	A-292
Dr Gordon Chong	A-295

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Carl DeFaria (Mississauga East / -Est PC)

Mr John Hastings (Etobicoke North / -Nord PC)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer
Research and Information Services

2 ON
KC 19
652

Chambre
des communes

A-20



A-20

ISSN 1180-4335

Legislative Assembly of Ontario

Second Session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Wednesday 23 January 2002

Journal des débats (Hansard)

Mercredi 23 janvier 2002

**Standing committee on
government agencies**

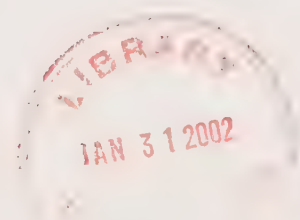
Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
Greffière : Donna Bryce



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 23 January 2002

Mercredi 23 janvier 2002

The committee met at 1008 in room 151.

INTENDED APPOINTMENTS

The Chair (Mr James J. Bradley): I see a quorum at this time, and if Mr Martin comes in, we will brief him or we'll revert back to him, one of the two.

For the purposes of Hansard, I call the meeting to order this morning. The first thing I want to mention to members of the committee is that there's a withdrawn person on this list. It would be the Ministry of Health, Ontario Mental Health Foundation, Susan O'Hara. So we will not be dealing with that individual today, since that appointment has been withdrawn.

Mr Bob Wood (London West): Mr Chair, I presume that means we're going to start at 1:30 rather than 1 this afternoon?

The Chair: Whatever you wish. We can either move everybody else up, or 1:30 sounds more reasonable because of when we tell people to be here.

Mr Wood: I think it may be a tall order. We'd have to move everybody, otherwise there's no point in moving anybody. My inclination would be just to start at 1:30.

The Chair: That's fine with me.

Mr Michael Gravelle (Thunder Bay-Superior North): We would support that.

The Chair: That will give us a little extra time to get all that constituency work done that we all have to get done.

ALLAN MUGFORD

Review of intended appointment, selected by official opposition party: Allan Mugford, intended appointee as member, Ontario Film Review Board.

The Chair: Our first intended appointee is Allan Mugford. Mr Mugford, you may come forward, sir. As you're probably aware, you have an opportunity to make an initial statement, should you see fit. Then you'll be questioned by representatives of the three political parties around this table. Welcome, sir.

Mr Allan Mugford: Good morning. My name is Allan Mugford, and I would like to take this opportunity to tell you a little about me and my family. I retired a few years ago, in my 40th year of service with the fire department. It was a great career, one I'm very proud of and miss to this day.

In my late teens I was recruited by and played with the Brooklyn Dodger organization in their farm team for two years in the United States and, after returning home, played senior ball and Beaches League fastball for 25 years, as well as senior hockey all over Ontario. Now my wife, who is here with me today, and I are struggling to play a lot of golf.

During the course of raising eight children—two are my stepsons—I often worked two or three jobs to secure the funds necessary to help them with their university education and some of the weddings. We now have nine grandchildren, and you can imagine there's rarely a dull minute.

Needless to say, though, when I retired and much of this activity ended, I needed to find ways to fill my time. My wife served as president of the Markham Board of Trade, chair of the Markham Theatre, as well as other organizations when we lived in Markham. We now live in Oshawa. Through this family affiliation, and I think that she will agree, I was very supportive of her and learned a great deal. It made me realize there may be a way that I could contribute to the overall community.

When I heard initially about the Ontario Film Review Board, I was immediately interested. Not only did I have the time, but I also felt strongly that there should be guidelines in place in order to help protect children from the excessive violence and sex often seen on the screen today; plus I like watching movies. I'm a movie buff.

I was accepted and served at the Ontario Film Review Board for an initial two years, 1997 to 1999, and an additional two years ending in early 2001. I decided to reapply for many of the original reasons. I'm definitely a team player, I get along with people from all walks of life, and I still think I can contribute to the Ontario Film Review Board.

If you have any questions, I'd be glad to answer them.

The Chair: We will begin today with the official opposition. That's where we are in our rotation, I'm told by our clerk.

Mr Gravelle: Good morning, Mr Mugford. You have been sitting on the Ontario Film Review Board for several years, then?

Mr Mugford: Yes, just around a year ago—I served there for two years and then I got renewed for two more years.

Mr Gravelle: I didn't see that on your resumé. So you've had some experience. That probably makes it

useful to ask you what some of your opinions are, because it seems to me you obviously would then have been involved in some of the decisions that have been made that have been somewhat controversial. It's the whole difficult issue of community standards.

The one that comes to mind for me rather quickly is a French film called *Fat Girl*, and it was highly praised by the critics, but from my knowledge and memory of this, I understand that the film review board said there were certain scenes that they found unacceptable and wanted to have them cut out. The director wouldn't do so, so the film hasn't been seen. Can you give us your thoughts on that? Were you part of that process?

Mr Mugford: That was a recent film in the film festival just before Christmas, so I was not there at the time. But I had seen a movie called *Baise-moi*, which was a couple of years ago, and it was the same kind of scenario, where there was a very violent rape scene. We did a process of one, two and three panels watching it, and it was rejected until the film people took out the two or three minutes that we disagreed on. Then they took the two or three minutes out and they made it a mainstream film.

Mr Gravelle: I understand. Again, I haven't seen the film myself, obviously, but I understand this particular scene was not by any means a violent rape scene. It was more a question of the age of the participants that concerned people.

But just to carry on the conversation about community standards, how do you define that or how can you best define that? Do you see it as a moving target? Obviously—you're a parent of eight children, nine grandchildren, you've said—this is something that would be very close to you, yet you have a responsibility to have a larger view as well. Can you give us an idea of just how you—

Mr Mugford: What I've tried to do in my time that I'd been there is talk to my friends and my relatives and different groups of people, the fire department people I worked with, to explain to them the community standards that I see through my eyes. Anything that I tell them—the violence, the sex, the crime—I try to relate to them and tell them what is good and what is not good in the community standards, and there are different community standards all over Ontario, too.

Mr Gravelle: That's right. I think everybody agrees on that. But you'd ultimately end up making a decision based on what you view as the community standards for the whole province, in terms of the rating system. Correct?

Mr Mugford: Yes, you do; it's for the whole of Ontario. I happened to live in Markham when I was doing this, and I worked in the city of Toronto. I think there's more community spirit outside Toronto; there are closer-knit families and groups of people.

Mr Gravelle: I know it's a delicate issue and a difficult one. I suspect my colleague Mrs Dombrowsky would love to ask a question or two; I don't know if she's going to ask about the video game issue.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Yes, exactly.

Mr Gravelle: That would be great.

If I may, Mr Chair, I'll pass it off.

Mrs Dombrowsky: Good morning, Mr Mugford. I'm happy to understand that you have had some experience with the Ontario Film Review Board, because there is an issue around video games that I regularly ask people who are intended to be appointed to that board, and you have some appreciation of the role of people on it.

Particularly after the holiday season, I've had conversations with parents who have been concerned about the content in video games they've purchased for their families, in that they're especially violent and graphic. I think the quality of the games has significantly improved in very recent years. We've had some conversations around how appropriate it would be to have video games rated as well, so that when parents are purchasing these as gifts for their families or their children receive them as gifts they would have some understanding about the content and the level of violence that might be included.

Given your experience on the film review board, do you think it would be an appropriate exercise for the film review board to begin viewing video games and their content and assigning a rating to them?

Mr Mugford: In response to that, in my own family I didn't condemn the children for watching video games. I was against watching them, and I don't like my grandchildren watching them. There's enough violence on TV without watching video games. But this is something new that's going to come up.

I don't know whether the Ontario film review board has time to watch all the movies and all the adult films that come in, plus the video games. There may be an opportunity for another group of people to watch these video games and give their professional opinion. We have training to watch all these movies, but with video games, you have to treat them as watching real violence. I think there should be some group of people who can judge these and see what violence is in them.

Mrs Dombrowsky: Just so I'm clear then, Mr Mugford, while you would agree it might be appropriate that consumers be provided with a guide for video games when they're purchasing them particularly for children—and I would suggest they are probably the market they aim for when they produce video games—you have some question, first of all, that the film review board would have the human resources to actually deal with that additional burden. That is something if the government were to legislate that video games were part of your responsibility, it would certainly have to consider, providing some additional resources, because there are significant numbers of video games out there. I'm not hearing from you that you don't think it would be appropriate that the film review board or a body like yours would have some responsibility to assist consumers when they're purchasing these products.

Mr Mugford: Like I say, the board would watch them. We have seen a few of the violent ones that come

from China and Japan. We watched them, and I think there should be classifications on them. It comes from the parents. I think the parents are the ones who should have the guidelines to tell their children what to watch and what not to watch.

Mrs Dombrowsky: So they should have the benefit of some direction on the packaging that would assist them in that way.

Mr Mugford: Yes, there should be some kind of sticker that they can put on these video games saying what is in them: violence or sexual content.

1020

Mrs Dombrowsky: I thank you very much for that perspective. It's important for us to understand. While it's not yet the law in the province, I think we're going to hear a good deal—certainly I have over the holidays—about the fact that these games have been purchased and some of the content has not been especially appropriate for youngsters.

I thank you for taking the time to come and chat with us today. That would conclude my questions.

The Chair: Any further questions? We have two minutes left for the official opposition. If not, I'm going to move to the third party, and it'll be Mr Martin.

Mr Tony Martin (Sault Ste Marie): Good morning. I'm sorry I wasn't here for your opening comments.

Mr Mugford: Well, you missed it.

Mr Martin: I missed them, yes. My loss, that's right. But because of that I was wondering, of all the things that you probably could apply for in terms of public service—and there's a myriad of boards and commissions out there—why would you have chosen this one?

Mr Mugford: One of the reasons is that I really do like movies. I have a large family. I like them to watch movies, and there's a lot of crap out there in watching movies. The appeal to me is the one day or two days a week, whatever the criterion is. The rest of the time I like to spend outside golfing or doing my gardening. I really do enjoy watching movies.

Mr Martin: What are the big issues in your mind where this business is concerned these days?

Mr Mugford: Violence is in almost every movie; swearing, language. Sex is in a lot of the movies out there now. When I was young they never said any words; the only thing they ever did was smoke. But now there's more violence in the movies, there's more sexual content. It just seems that there are very, very few family movies, and I would like to think that I could help judge some of the movies PG and family for my grandchildren so I could recommend them.

Mr Martin: Where would you draw the line in terms of violence or sex or whatever?

Mr Mugford: We do have criteria that we go by. There's a group of us that watch them and we talk it over after the movie. We watch for violence and we do have our guidelines of how far it can go. Say, a war movie may go a little bit more than a shootout. There may be historical events in the war movie and the violent crimes where they blow off your arm in a crime scene. There's a

line you come to and you just have to judge for yourself. You have to have good judgment on that.

Mr Martin: That's a line that you think you've come to in your own mind and that you'd bring to the table. Is there anything else that you bring to the table by way of background, except the fact that you watch a lot of movies, that would qualify you for this position?

Mr Mugford: My whole life has been an experience and I think I bring experience and good judgment to the film review board.

Mr Martin: Are you aware of the issue around the new classification that still hasn't been announced publicly yet, but moving to the 14A and 18A rating?

Mr Mugford: It hasn't come into effect yet but I can see what it is. Some children at 14 may be mature, some may not. What they're trying to do is to get their adult accompaniment to take somebody 14 and 18 to watch films that normally would go into another category.

Mr Martin: Yes. You mentioned in your response to me that your concern is that parents have more knowledge and control. In this new rating system, as I read it, what it does is actually take away from some parents some control or decision-making around whether they can take their 16-year-old to what has been considered an 18A movie. Some parents might have felt, because that's the way their family is, that it was OK to expose their children to perhaps a more sexually explicit showing because they would see it more as an artistic venue than simply a exploitation issue. What's your feeling there? What should we be telling parents they can and can't do, and what should we be doing on their behalf in this respect? Where should the line be drawn here?

Mr Mugford: When movies go out in the newspapers, they all have their ratings on them in the newspaper and they all have them at the theatre. I think that parents should find out where their children are going when they go to a theatre and find out what rating that movie is before they are allowed to go and see it.

Mr Martin: The comment is that there's a feeling that parents are taking their children to movies that they shouldn't be taking them to. Is it your view that this tribunal should be intervening on behalf of and telling parents what movies they should or should not be taking their children to?

On one hand you're saying to me this morning that we should be making sure that parents understand what it is that they're taking their kids to. But should we be in a position to be telling parents what they can and can't take their children to in terms of movies? What's your opinion on that?

Mr Mugford: Being parents, my wife and I decided. When the children went to the movies, we would like to think we sent them to the proper movie; we read the newspapers or the ads. Hopefully over the period of years, they guided themselves and saw these movies.

Mr Martin: For example, we took our 11-year-old to Harry Potter. There are some people in our community, particularly from a religious persuasion, who would see that as inappropriate, because it's witchcraft and all those

kinds of things. Should they have the right to decide for me, in that instance, whether or not I could take my child to that movie?

Mr Mugford: It's hard to say, because you're the parent and you think that was a good movie to take them to, and other people might not like it. Then you tell other people—it's community standards—that you didn't think it was an appropriate movie, through experience, by you and your children watching it, religious beliefs or whatever your beliefs are. So it's a guiding thing. You help guide. And if people don't go to see it, it won't be there very long.

Mr Martin: You're probably also aware that there's a huge debate going on in the public right now around just what are community standards. There's a group who think there's too much violence and sex and other types of activity in movies, and yet there's a group out there that says we're way too squeamish and that a lot of what's presented that some people think is pornographic is in fact art and should be allowed. The other issue, of course, is the question of whether any movies with a level of violence and sexual activity and behaviour in them should be seen at all. Have you been reading or listening or paying attention at all to that discussion that's going on?

Mr Mugford: I believe if you're a good parent you help out as much as you can by guiding your children to see something that is appropriate for their age. Some children are more mature at a different age. I think it's really up to the parent to guide them in watching what's in the movies—the violence, the sex, the sexual content. There's enough of it on TV, and all you have to do on your TV is turn it to another station if you don't want your children to watch it or you don't want to watch it yourself. I think it's just a matter of what you want to do.

Mr Martin: But you, yourself, have not read extensively or participated in any fulsome discussion about this issue with folks out there to bring, I would suggest, some balance in terms of your perspective and view in making decisions with this board or for this board?

Mr Mugford: Well, I express my opinion. I tell my friends, relatives and comrades what I see and what I think is violent. If I think there's too much violence, I just say, "There's a lot of violence in there. Be prepared if you want to see violence." I just guide them by what I see and what I do.

Mr Martin: You obviously bring to this a concern for children and for family values. What shapes your sense of what's morally right or not in terms of your own—you're obviously bringing your own set of experiences. What shapes that for you?

Mr Mugford: I believe, as in everything, that it's up to the parent to open up the eyes of children to see whatever is good and try not to show them things that are bad. There are enough bad things on TV and in the newspapers, and you just try to guide them into watching good things on TV or good movies.

1030

Mr Martin: We've had a number of people through here in the last few months being appointed to the On-

tario Film Review Board. I'm trying to determine what they bring to this work and what their contribution might be. I find it interesting, their answer to the question of—what's your feeling about stuff like the WWF on television?

Mr Mugford: The WWF is entertainment; it's really not a sport. We have it here in Toronto, and 18,000 to 20,000 people go to it, wherever it is. You don't have to go to it if you don't want to. I've seen it on videos. There is a lot of violence, a lot of blood. A lot of it is fake. It's entertainment. If you don't want to watch it, you don't have to watch it.

Mr Martin: But it's on television.

Mr Mugford: If it's on television, like I said, you can turn your attention to another station if you don't want to watch. There's an audience for everything. Some people like that; some people don't.

Mr Martin: If you're—

The Chair: Just when you were getting wound up, your time has concluded. So I'll move to the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government caucus has waived its time, so the time then has been completed.

ALLAN LEACH

Review of intended appointment, selected by official opposition party: Allan Leach, intended appointee as member, GO Transit board of directors.

The Chair: Next is Mr Allan Leach, intended appointee as member, GO Transit board of directors.

Mr Leach, you may come forward. As you would be well aware, I'm sure, you have an opportunity to make an initial statement, the time of which will be subtracted from the government caucus questions. Subsequent to that, all members of the committee will have an opportunity to direct questions to you.

Mr Allan Leach: It's a pleasure to see you again and all the members of the committee. It feels like coming home. I did have a little cheer at the Albany Club, as you suggested I do, at your Christmas party. It was good advice, as always.

I believe most members of the committee are familiar with my background, but for the record I'll briefly outline my history and my current activities.

I've been involved with transportation in the greater Toronto area in the province of Ontario for more than 40 years. I was with the Ministry of Transportation for 23 years, involved in highway construction, involved in municipal roads and involved initially with the creation of GO Transit. I was the managing director of GO Transit for 10 years, from 1977 to 1987. I was then the chief general manager and CEO for the Toronto Transit Commission which, as you're aware, is the second-largest transit organization in North America. I then became the MPP for Toronto Centre-Rosedale for five years, and during that same period I was the Minister of Municipal Affairs and Housing.

Currently, I am a member of the Toronto Police Services Board, I'm a member of the St Michael's Hospital board, I'm a member of the SNC-Lavalin Inc board of directors, I'm a member of the 407 ETR board of directors, I'm a provincial representative for the World Youth Day executive committee and I'm also a director of Golf Strategies of Canada Inc. I believe that the background and experience I bring would be a benefit and would allow me to make a solid contribution to the GO organization. I'm quite honoured to be nominated to be a member of their board.

With that brief comment, I'm at your disposal.

The Chair: We will begin our questioning this time with the third party.

Mr Martin: Nice to see you back again. We spoke not so long ago as you were being appointed to the police commission. How's that going?

Mr Leach: It's going very well. It's a very good organization, very effective, probably one of the best in North America.

Mr Martin: You're taking on a fairly big challenge in this one. We spoke to Mr Chong last week, who was appointed chair, I believe, to this organization. There was a major effort made not so long ago under the auspices of the GTSB to solve this challenge. It seems, to me anyway, that they came up short.

What, in your view, caused that and what do you think this new organization will be able to do that will be different, that will see us achieve some success here?

Mr Leach: The problem, if it is a problem, with GO Transit is probably its success. There's a great latent demand out there that the more service you provide, the more customers you will attract. The major problem it has is that it's extremely capital-intensive. It has to lease its right-of-way from the railways, for the most part. Locomotives and equipment rental are extremely expensive. So when people suggest that you expand service, it initially is extremely not cost-effective and that's one of the big problems that has to be overcome. There has to be a way of getting the additional service that's required, the additional service that the public is demanding, delivered in a cost-effective manner.

There are ways of doing that. It's going to take the co-operation I think of all levels of government—the federal, the provincial and municipal governments—and the task of the GO board is going to be to try and bring those three factors together in an effective manner and see if we can get some working agreements that can get us started again.

Mr Martin: It seems to me that one of the things the provincial government has done in winding down the GTSB and bringing forward this new committee is that obviously they've cut out the participation of a huge number of people from the municipalities on the board.

Why do you think, given your statement that there needs to be a contribution from the municipalities, that happened and do you think that will be helpful?

Mr Leach: The municipalities are represented; the regional chairs are all members of the board, I believe. I

believe Mayor Hazel McCallion is a member of the board. There will be direct involvement by the municipalities, as I understand it, in future expansion. We would be looking for both the financial involvement and the planning involvement of the municipalities, the federal government and the province. I think the role for the municipalities will probably increase rather than decrease.

Mr Martin: And you think that an increase in their participation will be valuable to the whole thing?

Mr Leach: I think it's paramount to its success. The municipalities are the communities that are going to be served, and their involvement in the planning process, the development process, is paramount.

Mr Martin: What are your views on the notion of these smart growth councils that is being proposed?

Mr Leach: I don't have a lot of knowledge about the smart growth councils other than what I've read in the paper. It would appear to be an opportunity for the municipalities and others to provide more direct input into the planning and development process, and I believe that's a move in the right direction.

Mr Martin: What role do you see for the private sector in any future GO Transit system?

Mr Leach: GO Transit probably has more involvement with the private sector than any other organization that I'm familiar with. The tracks they run on are owned by the private sector. The trains that they operate are owned by the private sector on leaseback. The maintenance facility that they use and the maintenance that's carried out are by the private sector. So the vast majority of GO Transit's operation is involved with the private sector at the present time. Any future development of additional GO lines would again involve the private sector, but it's something the GO organization is very familiar with and works very well with.

Mr Martin: How soon do you anticipate we might see something on the table that would indicate to us some level of cooperation and movement forward?

Mr Leach: Everybody has been very vocal about the need to expand GO Transit and everybody has been very vocal about the need to get on with it, so all we have to do is try and coordinate that. I have no pre-set timetables in my mind. I have yet to talk to other members of the GO board to see what programs are going to be proposed, and I look forward to doing that, but I'm not going in with any pre-set proposals or ideas. I'll be open and develop those with the other members of the board.

1040

The Chair: We now move to the Progressive Conservative caucus, the government caucus.

Mr Bert Johnson (Perth-Middlesex): I have a question and then I have a comment. Mr Leach, my question is—and I'm surprised it hasn't been asked already—the Joe McCarthy question: have you ever been or are you now a member of the Progressive Conservative Party of Ontario?

Mr Leach: Certainly.

Mr Johnson: I'd like to get past that before I make the comment that I look forward to the contribution of your experience in transportation, particularly the TTC here in Toronto, as a background for the job you're being asked to do. I have confidence in your ethic, in the years that I have gotten to know you, and I look forward to success. I know it won't be easy, but I wish you the very best.

Mr Leach: Thank you.

Mr Wood: Mr Johnson said it all. We'll waive the balance of our time.

The Chair: The balance of your time is waived. We'll now move to the official opposition.

Mr Gerry Phillips (Scarborough-Agincourt): Welcome. It's good to see you; a very impressive background.

My first question would be—you mentioned in your opening remarks that you're on the board of the 407 corporation and SNC Lavalin.

Mr Leach: They're two different companies.

Mr Phillips: That's why I said "and." Are you prepared to step down from both those boards if you're appointed to GO?

Mr Leach: I fail to see any reason why I should.

Mr Phillips: So you would plan to stay on both those boards?

Mr Leach: Yes.

Mr Phillips: One of the intentions of the GO system, as we see in our remarks, is to remove traffic from highways. In my opinion, you've got a direct conflict in sitting on the GO board of directors and also sitting on SNC-Lavalin's board. By the way, SNC-Lavalin in their quarterly report indicated that their equity investment in the 407 initially was \$175 million; it's now worth four times that.

I would think the public would say, "How can it be that Mr Leach is on the board of the 407 and SNC-Lavalin, both with an enormous financial stake in GO, but is also representing the public on the GO board?" Do you not see a substantial conflict there?

Mr Leach: Not at all. First of all, there's more traffic to go around for all parties involved: the 407 is fast reaching capacity and probably will have to be widened in the not-too-distant future, and the GO operation has a huge latent demand. Regardless of the levels of service that you provide, there's always going to be more demand than there is service available, so I don't see that there's any conflict there whatsoever. They serve two different markets. They both serve the same goal: to try to alleviate congestion in the greater Toronto area as much as possible. I think they're both working cooperatively to do that.

Mr Phillips: I think you have a huge conflict, Mr Leach, that you should look into.

Mr Leach: I have considered that.

Mr Phillips: Do you have a legal opinion that you can sit on both boards?

Mr Leach: I have considered the conflicts, and I think that in all walks of life, regardless of what organizations you're involved with, from time to time you'll run into

issues that may put you in conflict with other factors of your being. Should a conflict arise, and I'm not aware of any at the current time, I would declare that conflict and refrain from debate on the issue or voting on the issue. I don't see that as being much different than many other members of the GO board; for example, any member of municipal council who may be voting funding for GO at its municipal council while at the same time developing GO's budget. You could stretch that to be a conflict if you chose to do so. But I don't believe I have a conflict at the present time, and I would be very—

Mr Phillips: Very what?

Mr Leach: —capable of declaring a conflict, should one arise.

Mr Phillips: I think your entire job at GO is in conflict with the 407 and with SNC-Lavalin. I also note that SNC-Lavalin is one of five competitors for transit planning in York county. Do you not see there's the potential for conflict there?

Mr Leach: As I said, there's always potential for conflict. If a conflict arises, then I would declare that conflict and refrain from being involved in any debate or voting on any particular issue.

GO Transit is a widespread organization with many, many facets. I have a lot of expertise in transit operations, and I think that much of my contribution to GO can be in the operations side, where there would be no conflict whatsoever. I'm not concerned about conflict.

Mr Phillips: Well, I'm deeply concerned. Have you had an opportunity to seek legal advice on this?

Mr Leach: No, I don't believe that legal advice is necessary. As I said, if at any time I believe I have a conflict, I would declare that conflict.

Mr Phillips: I have respect for your experience, Mr Leach. I just think the public believe that their board of directors on GO should be representing the public. At the same time, you're on a board, SNC-Lavalin—the 407 has quadrupled in value on their books. It is an enormous gold mine for them.

Mr Leach: I fail to see the relevance of 407 to the GO Transit.

Mr Phillips: But one of their goals is to remove traffic from the 407. You will be sitting there making decisions that put you in conflict with your decisions as the board of directors on the 407.

Mr Leach: We would have absolutely no problem with the traffic that GO would remove from 407. As I've said, there's more traffic out there than the combined services can accommodate, and I think it's paramount for both organizations to do everything they can to try and alleviate congestion. The expansion of GO Transit would be welcomed.

Mr Phillips: You're saying you are not prepared to step down from the 407 board and SNC-Lavalin?

Mr Leach: I see no need to do so.

Mr Phillips: On reflection, you do not see that every decision you will make at GO, which is designed to improve service for the users—the public use of public transit does not put you in conflict with your other responsibilities as a director of 407 and of SNC-Lavalin?

Mr Leach: No, I don't see that.

Mr Phillips: But you've not sought legal advice on that?

Mr Leach: I see no need to do so.

Mr Phillips: What decision at GO do you see that wouldn't have an impact on the 407? What major decision at GO would not have an impact on the 407?

Mr Leach: There's all kinds of decisions that could be made at GO Transit that have no bearing on 407 whatsoever.

Mr Phillips: Major decisions. Could you give me a couple?

Mr Leach: I don't know. Purchase of new rolling stock.

Mr Phillips: That would have an impact on 407.

Mr Leach: Labour agreements.

Mr Phillips: That would have an impact on 407.

Mr Leach: It would?

Mr Phillips: Yes. It would impact on the fees, the fares you charge.

Mr Leach: I think that's a pretty big stretch, Mr Phillips.

Mr Phillips: I really feel strongly about this, Mr Chair.

As I say, your experience speaks for itself. It's just that you're putting yourself and, frankly, the government in an intolerable conflict of interest. The 407, as I say, is the biggest privatization in the history of Canada. Your corporation—its equity investment has quadrupled in less than three years there. You are also on the 407 corporation, which makes huge decisions. You are in conflict if you're also on the GO board. I think the public will say, "Well, wait a minute. Who is speaking for me at the GO board if the board of directors have a financial interest in both the 407 and SNC-Lavalin?"

Mr Leach: That's your view; I don't share that view. Obviously, I was nominated to be on the GO board, and I'm sure that those who were—

1050

Mr Phillips: I'm sorry. Nominated by whom?

Mr Leach: I was nominated to be on the GO board, and I'm sure those who were responsible for nominating me took that into consideration.

Mr Phillips: This was the government; Ministry of Transportation, was it?

Mr Leach: I think my involvement has been well-known to everyone.

Mr Phillips: They were aware that you were on SNC-Lavalin and the 407 board when they made those?

Mr Leach: I would certainly assume so. It's certainly no secret. You were aware of that, I believe, Mr Phillips; if you were, I assume everybody would be.

Mr Phillips: I was aware you were on SNC-Lavalin's board. I wasn't aware you were on the 407's board. I didn't see it in your resumé, at least the resumé I had. Was that in a public resumé?

Mr Leach: I'm not sure when that resumé was done.

Mr Phillips: The one I had—I don't know whether it was the committee's resumé—shows you on the SNC-Lavalin board.

Mr Leach: The 407 is within the last year.

Mr Phillips: Isn't your resumé within the last year?

Mr Leach: I haven't even seen the resumé you have.

Mr Phillips: Am I looking at the same resumé everybody had? Yes. You're on the board of directors, SNC-Lavalin. I don't see any mention of the 407 in your resumé.

Mr Leach: Well, then, I've added that to my resumé, and I've declared that here at this committee today.

Mr Phillips: That's why I asked you whether the government, when they nominated you, were aware that—

Mr Leach: Yes.

Mr Phillips: They were aware of that? Again, Mr Leach, I feel bad about this, because I respect your—

Mr Leach: I bet you do.

Mr Phillips:—but I really believe you should reflect. I think the public will find it unacceptable that their board of directors—and by the way, I think you may find that you run into legal challenges from other consortiums trying to bid on private sector business when you, on the one hand, are going to be involved in all of the workings of GO and then you go to another board meeting where you're sitting on the board of SNC-Lavalin, which is competing against some of these private sector corporations.

Mr Leach: I don't see it as being any different from a municipality voting to build a new road. They vote to build a new road. Isn't that in conflict with the undertakings of GO Transit, and shouldn't any of the municipal members who might be in that municipality say, "I've got a conflict," because—

Mr Phillips: If they're on the board of SNC-Lavalin, I assume they might.

The Chair: Mr Phillips, your time has expired. Though the Conservative Party waived its time, there has been a request from Mr Mazzilli, and there is time left in the Conservative allotment for Mr Mazzilli to ask a question. So I'll ask the committee if they will give unanimous consent.

Mr Martin: No.

The Chair: The committee will not give unanimous consent, so I cannot, then, do so.

Thank you very much, Mr Leach, for being with us today.

Mr Leach: Thank you, Mr Chair.

The Chair: I'll ask Mr Gravelle to come in as the Chair, since I would like to ask some questions. Members of the committee know my interest in the field of gambling—not as a gambler, I might say, for the committee's sake.

RAVI SHUKLA

Review of intended appointment, selected by official opposition party: Ravi Shukla, intended appointee as member, Ontario Lottery and Gaming Corp board of directors.

The Vice-Chair (Mr Michael Gravelle): We will proceed to our next intended appointee, Mr Ravi Shukla,

as a member of the Ontario Lottery and Gaming Corp board of directors. Mr Shukla, if you could come forward and sit right there where the microphone light is on, that would be great. Welcome. You have an opportunity to say a few words to the committee, if you'd like, before we move toward questions from all three parties. After you've finished your remarks, we'll begin with the members of the government party. So, Mr Shukla, please carry on.

Mr Ravi Shukla: I have a touch of a cold, so I apologize in advance. I did prepare a few words, so I will say them. First of all, thank you, Mr Chair, and good morning, members. Thank you for the opportunity to appear before you to speak about my intended appointment to the board of directors of the Ontario Lottery and Gaming Corp. I believe that you have a copy of my resumé, but I'd like to take this opportunity to provide you with some additional information in order to bring forward those aspects of my background and experience that I believe indicate that I will be a useful and appropriate addition to the board.

I'm a 40-year-old husband and father, having been born in Delhi, India, in 1961. My family came to Canada, Toronto in particular, in November 1966. Our arrival here was due in part to the concerted efforts of the Canadian government to convince overseas architects to come to Canada and assist, literally, in the building of a great new multicultural society. Canada's role as a peace-loving, honest broker in matters of international relations was well known to my parents, and this, together with the opportunities presented by the rapidly developing Canadian society, convinced them that Toronto should become the base for launching our family's future. Some 35 years and one child later, my parents have both recently retired from the practice of architecture, and my father is currently professor emeritus at Ryerson University's faculty of architecture, a department with which he has had a long association as a faculty member and former chair. Both have, at various times and in various ways, been involved in community and public service. Should I be so fortunate as to be selected for the appointment for which I am now being considered, I will, like my two sisters, be continuing a tradition of public service by our family in our chosen homeland.

My early education was in Pickering's public schools, and in 1979 I attended the University of Toronto, where I pursued a degree in electrical engineering. I was immediately struck by the scope of the changes which would be introduced when the laboratory developments I was viewing became broadly applied in society, and concluded that such changes would open up huge new opportunities for technically literate individuals in diverse new areas as Canada's economy increasingly came to incorporate a vibrant knowledge-based sector. I therefore decided not only to continue with my engineering studies but to also seek a legal education upon their completion. I then had the privilege of attending Queen's University law school in Kingston over the period 1983-86, during which time I also relocated to Kingston on a permanent basis.

I had the good fortune to secure employment during my time in Kingston with Mr H.R. Sheppard, sole practitioner, now deceased, and have many fond memories of my time spent with Mr Sheppard clattering around that part of the province lying roughly between Belleville, Ottawa and Brockville, attending to the myriad needs of his many clients, many of whom were farmers and couldn't leave their fields during the busy farming season. In fact, I enjoyed my time in Kingston so much that I nearly abandoned my plan of combining my knowledge in the fields of electrical engineering and law in favour of continuing my association with Mr Sheppard and the wonderful life I had established in Kingston.

However, I was very fortunate to be offered an articling position by Blake, Cassels and Graydon, then and now one of the largest law firms in the country, at a time when that firm was embarking on a new strategy designed to dramatically expand its business in the information technology sector. Following my articles and my call to the bar in 1988, I stayed with Blake, Cassels and Graydon as an associate until early 1995. During those six or so years, I had the opportunity to work alongside and along with several of the deans of the bar in a diverse range of both advocacy and solicitor-oriented matters, all the while seeking out opportunities to increasingly focus upon providing my services to participants in the information technology sector of the economy.

One particular matter I do wish to mention, even though it has nothing to do with information technology, is that while at Blake, I had the opportunity to play a key role in the legal team which was retained by the Rae government in responding to Carlton Masters's application for judicial review of the decision of the investigator who had been retained by the province to look into allegations of sexual harassment made by several employees who worked with Mr Masters during his tenure as agent general for Ontario in New York. We were ultimately successful before the Divisional Court in upholding the validity of the process which had been implemented by the investigator and made some law on the crown prerogative issue, but the reason I raise this is that my involvement on that file afforded me access to senior politicians and civil servants and left me with a greater appreciation for the numerous ways in which the decision-making process in the public sector differs from that in the private sector.

1100

By the mid-1990s, I had decided to see whether the further focusing of my practice orientation on information technology matters could not be achieved from within the context of my own business. I launched my practice in May 1995 as a sole practitioner and have been gratified by the success that this venture has garnered. That growth resulted, in a few years, in the formation of a six-partner information technology and Internet law boutique and culminated, a little over two years ago, in my agreement to return to the large Bay Street law firm environment as counsel to the firm of Lang Michener on

information technology and Internet law-related matters. More than one circle was closed by this decision, as Mr Michener had been Canada's ranking diplomat in India at the time of our departure.

I am also now an active participant on the continuing legal education circuit, as I am frequently asked to speak on information technology and Internet law-related matters.

In retrospect, one of the factors that contributed heavily to the success of my practice was the fact that its launch coincided with the rapid adoption of one of the revolutionary technological developments of our time: the Internet. The Internet is disruptive technology which, by enhancing people's abilities to access, store, interact with and transmit vast amounts of information, dramatically subverts all manner of pre-existing social, political and economic norms, thereby giving rise to a host of difficult new legal issues.

One of the most challenging of these issues is the issue of Internet jurisdiction, namely, to what extent can and should the laws of a particular community be made to apply to activities taking place in cyberspace? Although we are only at a very early stage in the development of the Internet, and while it is clear that the rise of the Internet is but one of the many factors that will force citizens and governments everywhere to take a fresh approach to the hallmarks of sovereignty, it is also clear that the early predictions of imminent anarchy were incorrect and that cyberspace is not and will not be a no-law land.

In terms of examining the possibilities of future regulation of the Internet, on-line gaming has been a particularly interesting sector to examine because, for many communities such as Canada, gaming laws constitute an aspect of its central moral code and because proponents of on-line gaming have been among the most active and inventive in terms of exploiting the technological possibilities of the new telecommunications channel. It was for this reason that I was very pleased to meet with Ron Barbaro, the CEO and chair of the Ontario Lottery and Gaming Corp, several months ago at his office to discuss Internet gaming issues in general and thereafter to accept his invitation to seek the appointment which brings me before you here today. I hope one day to be in a position to assist the board in implementing, among other things, its Internet strategy in a socially responsible way.

In conclusion, I would be honoured to serve the people of Ontario as a key member of the OLGC governance team, should my appointment to the board be confirmed. I believe that my experience, both in terms of legal skill set and in terms of its depth in advising organizations as they manage change via the deployment of technology, makes me well-suited for the position.

The Vice-Chair: Thank you very much, Mr Shukla. We have a little bit of time for the government members.

Mr Frank Mazzilli (London-Fanshawe): A comment, sir, and I'll make it quick. I have very many good friends who are electrical engineers. Certainly, while the

rest of us are terrified of technology, the one thing I find about electrical engineers is that they're not, that they're always looking for the next step and then way beyond most of us. But the other quick comment is, all of my friends who are electrical engineers don't practise electrical engineering. They've moved into other successful fields. Why is that? It's a curious comment. Many successful people who have engineering backgrounds don't practise engineering. Just very quickly, and I'll move it over to the opposition.

Mr Shukla: I think I'm an example of what's a widespread phenomenon, which is that as we enter the information age or whatever you want to call it, people who are technically literate find there are so many interesting opportunities that never existed before, so they sort of follow their nose. I followed my nose to law; other people have followed their nose toward other sectors. But you're right. I have many friends from my engineering days who are not practising classical engineering in the way that 25 years ago we all might have been.

Mr Mazzilli: Thank you. Just curiosity and observation, something I had noticed.

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: Thank you, Mr Wood. We'll move to the opposition.

Mr Bradley: I would say some of my best friends are electrical engineers as well, but I won't dwell on that at great length. I will ask you this question, first of all, since you did get a law degree. Do you recall what the tuition was at Queen's when you were getting your law degree?

Mr Shukla: It was accessible to a middle-class kid like me.

Mr Bradley: Which would have been how much?

Mr Shukla: I don't remember exactly, but roughly it would have been \$1,000 and some, I think. By then I was having to access the student loan program.

Mr Bradley: At the present time, the University of Toronto, I think with the acquiescence of the government, is going to double the tuition for law school from about \$11,000 to \$22,000. Do you think, as you would describe yourself, a middle-class person or even, let's say, another person of very modest means would be able to easily access a law degree if they had to pay \$22,000 a year?

Mr Shukla: Without knowing more of the facts, I agree that a sticker shock does appear there. But I don't know what the other factors will be in the other programs that will be implemented if there is to be a tuition rise. But it's something I'd be very concerned about. We need a meritocracy to have a well-functioning economy and social harmony.

Mr Bradley: Thank you on that question. I am very concerned with something you said. Just to give you some background, I've been a member of the Legislature and I have people in my own party and other parties who may disagree with me on these matters but who have expressed very grave concern about the expansion of gambling opportunities by governments of all political

stripes—Conservative, Liberal and NDP—right across the country and the national government, and in other jurisdictions. I see almost a wildfire out there, the expansion of it.

I heard you mention that you hoped to be around to implement—and I may have mischaracterized what you said—Internet gambling opportunities. My concern is that this government, just when you think they've found the last possible way to bleed money out of the desperate and people who are in circumstances where they may be addicted, will find yet another way.

Do you believe you were appointed by the cabinet because they want to get into the field of Internet gambling now?

Mr Shukla: I apologize, sir. I seem to have confused you. What I meant to say, and I hope I did say, was that I hope to be in a position to assist the OLGC in implementing its Internet strategy, which does not necessarily encompass Internet gaming. It's a telecommunications channel that is available to all entities, and I understand that organization is interested in exploring the Internet, not necessarily for an actual on-line casino. For example, a Web site is part of their Internet strategy.

Mr Bradley: Would you be opposed, sir, to the government of Ontario's becoming involved in Internet gambling as a proponent, as an operator, let's say, of Internet gambling through the Ontario Casino Corp or the Ontario Lottery and Gaming Corp? Would you be opposed to that?

Mr Shukla: In the present context?

Mr Bradley: In the present or future context, would you be opposed to the Ontario Lottery and Gaming Corp becoming involved directly as an operator of Internet gambling?

Mr Shukla: I'll answer the question in two parts. The present: I think right now the status of on-line gaming is of interest to Internet lawyers like me because it kicks up a lot of activity. That's what I meant to indicate. It's a big industry. Right now, I have read estimates that last year it was a US\$3-billion industry, not being participated in by organizations like the OLGC. But, as it presently stands, I think it is far too early for a reputable organization like the OLGC to get involved in on-line gaming.

As to the future and how it evolves, I suspect that you and I do not share a certain philosophical outlook. I'm not a prohibitionist on gaming matters. My fear is that if you force things underground, which really the present on-line gaming industry is, then you may give rise to certain problems. Perhaps one day the consensus will be to get involved in some sort of socially responsible way.

I take it as a given that Ontario has made a significant policy choice in having gaming accessible via a publicly controlled entity and that it will always be implemented in a socially responsible way. I just don't know how the future is going to evolve and what the factors will be when people consider, is it better to get involved and have reputable organizations involved or should it continue to be on the margins and fringes of legality, if not outright illegal?

1110

Mr Bradley: I suppose we could use that same argument if the government wanted to get into the business of peddling heroin, but I won't go down that path. I will look instead at a concern I have about governments implementing policies and then wanting to get money for the political party in power. Let me share with you a letter that has gone out.

"The Ontario Harness Horse Association has received phone calls from its membership looking for information on the upcoming Progressive Conservative leadership campaign. Most of these calls are of the inquiring nature of how horse people can help a party that has been so favourable to the racing industry. Our advice to you, the horse people who wish to get involved, is to join the PC Party and vote for the candidate of your choice. The association ... has financially contributed to local riding associations and we have also purchased a signature sponsorship for the five city leadership debates tour in Toronto, Ottawa, London, Thunder Bay and Oakville. Your OHHA presence will be prominently displayed in signage and banners at all debates at the leadership convention."

Do you have a concern that when policies of this kind are changed—in other words, we now have semi-casinos going on through the back door at racetracks at the present time; they have slot machines—somehow this can then be exploited by a governing party, such as suggested in this memo, for the purposes of raising funds? Do you have a concern about that connection?

Mr Shukla: Sir, I think I understand the political point you're making, but as a potential director of the OLGC, I'll simply be limiting my functions to a governance role. I really don't want to venture into—

Mr Bradley: But you will be making recommendations on whether they can find new ways to bring in new gambling opportunities. If that comes to the board, you will have an opportunity to make those decisions. I guess ultimately the government makes the decision, but you as a member of the board would have that power to suggest that they expand into a new area or even that they contract from present areas. My concern is, just as when Mr Rob Power, who is head of the Ontario Trillium Foundation, sent a letter around to all the people who were on the local appointed committee saying they should give money to the Progressive Conservative Party, having been appointed to review those who wanted to give Trillium grants in local areas, again here we're seeing a specific connection between political fundraising and an initiative by the government. Do you not see that as a problem?

Mr Shukla: I haven't had the benefit of an orientation, which I gather new members of the board receive, and I suppose at that time I'll understand more about the process. But as a director of an entity which operates at arm's length from the government, I'll just be helping to make good decisions for the organization and helping to run its business in a socially responsible way. That's really all I can say about that.

Mr Bradley: The government of Ontario at one time wanted to open 44 what they called “charity casinos” around the province. Now, we understand the difference between a casino for instance in a border area which would be designed to be a tourist attraction and one which is an attraction for local people who could be spending their money at Canadian Tire or Loblaws—Loblaws doesn’t exist any more—A&P or something like that, could be spending their money productively there.

Mr Steve Gilchrist (Scarborough East): Did he say Loblaws doesn’t exist any more?

Mr Bradley: Does it—not the same name in our community.

Mr Gilchrist: Galen Weston would be very surprised to hear that a multi-billion dollar company has ceased to exist.

Mr Bradley: I don’t have a Loblaws in my community; let’s put it that way. In my community it does not, but in many other communities it does.

I guess the question is, are you not concerned that these constant new gambling opportunities that would be available through 44 new casinos, if the government were to move back in that direction, would in fact have a negative impact on the communities in which those so-called charity casinos are located?

Mr Shukla: I’ve tried to indicate—and perhaps I’m not making myself clear, sir—that I think it’s critical that the OLGC exercise its mandate in a socially responsible way; that is, for the benefit of Ontarians and not to harm Ontarians. So I wouldn’t support any aggressive expansion of the business that would have deleterious effects on the community. I think that’s one of the reasons the OLGC is in the gaming business and not private sector companies.

The Vice-Chair: Thank you very much, Mr Bradley.

Mr Bradley: Thank you very much for the opportunity to ask questions on one of my favourite subjects.

Mr Martin: I have to say that even though I’m not a prohibitionist either—we have a small casino in my own community of Sault Ste Marie, and it seems to be working out OK—I do share some of the concerns of my colleague from the Liberal caucus that we’re moving very quickly in a field where government—and I was part of that government in the early 1990s—initially claimed they were going to be very cautious. We introduced a casino in Windsor and we said we would wait until we saw the results of that, the impact on the community etc, before we went any further. Then, when the present government was elected in 1995, they said they would not do any more casinos until there were referendums in communities, and at one point they said there would have to be a provincial referendum. But there was no such provincial referendum, and we now have a number of casinos established in the province.

You probably don’t have it, but we have a paper in front of us that kind of lists the racetracks with gaming opportunities in them that have been established. There is quite a significant number, and more to come. As I drive down from Sault Ste Marie past Barrie, I see a new one

rising out of the ground on the west shoulder of Highway 400.

What I would like to know is, in your role as a governor on this board—I know your legal background and it’s very impressive; it can’t but be—what’s your socio-economic background? What ability or facility do you have to help when decisions are made re expansion? I have to say a red flag has gone up for me too when you mention your expertise in terms of Internet activity. What socio-economic background do you bring to the table that would be helpful in those kinds of decisions?

Mr Shukla: What socio-economic background?

Mr Martin: Yes, understanding of—

Mr Shukla: I think I’m a classic example of a Canadian success story. We came here without a lot of money. You couldn’t take money out of India at the time we left, so we came to Canada with our skills and our hopes, and because of the opportunities this society provides to people who do not have substantial wealth, I was able to get a good education and pursue a career that I chose. I think I have a good sense of the community in which I live. I have been here a long time. I’m part of it. I indicated that I am raising a family and I have been involved in launching my business, which brings me into contact with a lot of people. I take very seriously the idea that the OLGC must exercise its mandate carefully, cautiously and socially responsibly, and that would be of very great concern to me.

In terms of what the board has done in the past, obviously I wasn’t part of that board and I can’t answer for decisions that were made on the basis of information I don’t know and other things. But as far as the board of the future is concerned, should I be a part of it, I can assure you that I have a great deal of sympathy and concern for the sentiments that have been expressed, including by Mr Bradley. I just don’t happen to share his view, because I am concerned that if you absolutely come down on gaming like a ton of bricks, you’re going to push it underground and create other problems. I support the basic approach where it’s done through an institution that’s answerable to the public and that it exercises its role with caution and responsibility.

1120

Mr Martin: I guess my concern is that this institution that’s answerable to the public actually understands what it means to be doing some of the things they do and the impact that will have on the communities in which they exist and the people the offering is made to. Nobody will deny that you are a success story. There are many stories out there in the naked city, though, that aren’t very successful, people struggling to get by, to make ends meet, tempted by opportunities to double their money when perhaps they shouldn’t be. We need people at the table of this corporation who have some background, some training, some experience, some knowledge of that kind of thing as well, so that when decisions are made all of that is put in the mix and we balance that out.

I’m asking, maybe a bit more specifically, what involvement have you had in, say, social planning councils,

community councils of any sort, to ascertain or determine what impact any further expansion of gambling will have on the everyday life of citizens and communities?

For example, what understanding do you have of the impact of this new method of collecting money through gaming and then running it through the Trillium Foundation so that charities that normally went out and raised their own money through the various and sundry and exciting ways they used in the past and no longer can because either the money isn't there or they're not being licensed to do so—what contribution can you make to this board in terms of your background, experience and knowledge in those areas?

Mr Shukla: I suppose one way I can maybe assist you in understanding who this person is is that during my time in Kingston, not only was it good for me to get out of Toronto and experience life in Ontario from outside Toronto, but I think I indicated that I worked for a sole practitioner, and we did a lot of work on legal aid certificates, something I did not do on my return to Toronto and working in the Bay Street environment. During those three years, I assisted on small-time Family Court matters, criminal matters, real estate matters, the sorts of things a county seat like Kingston generates. For a boy from the suburbs of Toronto, it was an eye-opener. I learned a lot. As I indicated, I actually considered staying. I felt it was a rich and wonderful life in Kingston.

In terms of understanding what life is like on the other side of whatever you want to call it, I have some experience with it. I live in Cabbagetown in Toronto. That's a choice I made. It's a neighbourhood I love. It is a mixed area. It's a vibrant, wonderful part of town. There are challenges in our community, and I'm aware of them. So that's point one.

Point two, I am not somebody who is very familiar with the gaming industry. In terms of understanding how gaming has operated in Ontario, up until now I have a citizen's level of understanding of it. In the Internet area, I have been following it, as have my peers in the Internet law bar, simply because it is such a fascinating area to watch developments bubble up. But in terms of councils or committees I've been on that might focus on the narrow effects of the gaming industry, I really can't claim an understanding or expertise in those things. As part of my orientation and my work on the board, should that arise, I fully intend to become a far more learned person about this and carry out my responsibilities in a full manner. That will involve me learning a lot, I'm sure.

Mr Martin: If I might, I just want to focus for a minute on this issue of Internet gambling, because there's been a huge red flag put up for me here this morning. Following up on some of the questions from the member for St Catharines, your first response to him that you might bring your expertise to bear, for example, on setting up a Web site, that's not quite honest, I don't think, or it's a bit frivolous to say. There are lots of people out there who can put up Web sites in a matter of days. To suggest that your expertise, which is, as I said, quite impressive, be brought to the development of Web

sites I don't think is where the lottery corporation is indicating by your appointment that they're really wanting to go.

I worry as well. When we were talking about the introduction of slot machines to Ontario, we specifically decided not to put them in bars because of people coming in on their own, sitting down and spending hours in front of them and the potential that was there to harm people. Imagine people being exposed on their computer at home in their basement to the possibility of gambling and the addiction that might generate or attract. It concerns me. It concerns me big-time that that may be in fact where we are going and that your appointment may indicate that's what this corporation is looking at. Can you tell me that's not true, here today?

Mr Shukla: I believe, sir, that there has been some miscommunication here. The lottery corporation has an Internet initiative. It consists of seven components. My assumption is that's one of the key reasons why Mr Barbaro invited me to be on the board. Element number one of that seven-part initiative is the Web site. The Web site is up and running but, as I hope you know, Web sites are never really finished; they're always a work in progress. A great deal of my practice, sir, is involved in advising clients as their Web site evolves over time, as technology changes, as laws change. So I think someone like me, who regularly advises entities on how to manage their on-line presence—that could be something which will be called upon quite frequently. So I don't agree that Web sites are a slam dunk, and my involvement on the OLCG Web site as that evolves over time would be negligible.

The Vice-Chair: Mr Shukla, we have to wrap up. Thank you for your time. We appreciate it. We will be voting on your appointment, Mr Shukla, as well as the others this morning, at the end of the next interview.

We will move on to our next appointment. I believe I am staying in the Chair position right now.

HUGH NICHOLSON

Review of intended appointment, selected by official opposition party: Hugh Nicholson, intended appointee as member, GO Transit board of directors.

The Vice-Chair: If we could call forward Mr Hugh Nicholson, who is an intended appointee as a member of the GO Transit board of directors.

Good morning, Mr Nicholson. Welcome. Like all people brought forward, you have an opportunity to say a few words in advance of the interview, so feel free to do so. Then we'll begin our questioning with the official opposition.

Mr Hugh Nicholson: First of all, let me begin by thanking you for the opportunity to appear this morning, both to present my own credentials and to explain to you why I would like to be on the board of GO Transit.

To go back a few years, I'm not originally from Ontario; I'm originally from Cape Breton Island. I come from several generations of coal miners. We moved to

Ontario in 1966, took the train actually, and settled in Oshawa, where I lived until 1975. At that point, I left to attend university. I graduated in 1979 from York University here in Toronto with an honours degree in political science and history. My goal was to pursue a career in the civil service.

From 1979 until 1985 I was a property tax assessor with the then provincial Ministry of Revenue in Whitby, and at the same time I was continuing my studies at night, obtaining a certificate in corporate communications from Humber College in 1985. In October 1985, I joined Oshawa This Week, which was a part of the Metroland chain of newspapers owned by Torstar, as an advertising sales rep, and within six months was the top sales rep in the division and one of the best in the company.

Within three years I became the director of advertising for four successful newspapers, stretching from Pickering to Cobourg and up through Durham region into Port Perry and so on. In 1983 I was asked to take on the position of publisher of Peterborough and Lindsay This Week. These were two essentially bankrupt newspapers which we had started back in 1989. They had not shown a profit, and I was the fifth publisher to actually go into the market to try and turn the situation around.

In the subsequent years I proceeded to build one of the best management teams in the business, and by the time I left in May of last year we had created a division of nine profitable newspapers, two successful on-line editions and a direct mail business. In addition, we have won over 40 international, national and provincial awards of excellence, and we are among the highest-read newspapers in the industry, not just in the community newspaper business.

1130

I have served on a number of different bodies and organizations over the years in the communities that I've served in: chambers of commerce in Peterborough, Lindsay and Oshawa. I've been on hospital boards and so on. I spent seven years as a regional councillor and chair with TVOntario and I'm currently on the board of St Joseph's Foundation in Peterborough and on the executive committee of the Institute for Healthy Aging.

In May of last year, having achieved everything I'd set out to do and more, I left Metroland to pursue other interests in the media business, which is what I'm currently doing.

As for why I want to be on the board of GO Transit, I guess it comes down to two reasons: (1) because I want to serve my community and (2) because I think I can make a difference.

I feel I have much to offer if I'm successful in being appointed to the board. I have a history of operating successful businesses that not only generated a profit but provided important public service, not unlike in some ways a transit system, which has two functions. As a successful marketer, I can offer advice on helping to market the service, increase ridership etc, and I have done well in the past in determining what people want

and providing that product, as evidenced by the readership of our newspapers.

Much of my success in business has been a direct result of my ability to forge partnerships with business, individuals, institutions and so on in the communities in which I've worked. I think this would be an asset as the transit system expands and searches for new partners in both the public and private sectors. My experience in the public as well as the private sector will enable me to understand the realities of an operation that is both a service and a business, and also how to bring the public and private sector elements together.

Finally, I'm committed to public transit as a vital factor to ensuring the continued free flow of goods, services and people if we are to continue to grow and be prosperous. As we saw in the aftermath of September, any interruption in that flow can have severe economic and personal consequences. I am also committed to public transit, from an environmental standpoint, as a way to reduce pollution and congestion on our roads.

I'd like to thank you this morning for allowing me to make this presentation. Any questions?

The Vice-Chair: Thank you very much, Mr Nicholson. We will begin the questioning with the official opposition.

Mr Bradley: Mr Johnson always insists that I ask a question he referred to as the Joe McCarthy question, which is—and sometimes we get surprised over here when we ask this, you know—are you now or have you ever been a member of the Progressive Conservative Party or supported a Progressive Conservative candidate?

Mr Nicholson: Yes.

Mr Bradley: OK. We always have to ask that one. Mr Johnson said earlier today that we had to ask that question.

Mr Johnson: You took all the wind out of my sails.

Mr Bradley: Thank you very much, sir. My second question is, did you specifically seek out this appointment or did someone ask you to stand for this position?

Mr Nicholson: No, I sought it out. I was quite interested in getting involved with GO Transit and sitting on the board, so I spoke to our local MPP Gary Stewart and expressed my interest. Then I had a call requesting my resumé and so on.

Mr Bradley: I see. You are from Peterborough?

Mr Nicholson: Just outside.

Mr Bradley: The Peterborough area, sorry. I shouldn't say that, because people, I know, outside of a major metropolitan community like Peterborough or St Catharines sometimes become annoyed if you say they're from that city and they're really from outside.

I understand from some material I have read that you are an advocate of expanding GO Transit to such areas as Peterborough so that the people of Peterborough and the surrounding area would be able to utilize that for the purpose of travelling to Toronto or Mississauga or wherever GO Transit would go. Would I be correct in assuming that?

Mr Nicholson: Yes. I think it's correct to say that where the numbers and the dollars could be justified, I would certainly be in favour of expanding the system, both to Peterborough and anywhere in the province we can make the case for.

Mr Bradley: I can be parochial because I read a book once by a former Speaker of the House of Representatives that said all politics are local, so I'll put on a parochial hat for a moment and ask this question. There are people in the Niagara Peninsula, especially the community I represent—St Catharines, Niagara Falls and other parts of the Niagara Peninsula—who have expressed a desire to have a form of GO Transit service come to our communities.

I'll put on the table first of all that, as you wouldn't anticipate, I think, in the Peterborough area, we wouldn't anticipate in the St Catharines area the frequency of service from, for instance, Oshawa in or Mississauga in, because that's a major commuter situation there. But would you envisage the possibility of St Catharines and Niagara Falls, and perhaps Fort Erie and other areas of the Niagara Peninsula, having perhaps a form of GO Transit extended to those areas?

Mr Nicholson: Yes, most definitely. If the dollars are available and it can be justified in terms of ridership, absolutely. I think that makes a lot of sense.

Mr Bradley: Do you think public transit provides an alternative to the constant effort on the part of governments of all stripes, everywhere, to continue to widen highways?

Mr Nicholson: I think public transit has to be an integral part of the overall transportation mix. I ride the GO train myself every day from Oshawa. It's a fabulous system. I don't have to worry about parking. I drive to Oshawa, I get on the train, it takes 40 minutes. So I don't think it's going to replace the automobile. Having spent a large part of my life in Oshawa, I have a few friends who wouldn't be happy if I was to advocate that we don't need a car any more. But definitely I think it's a critical part of it. The more people we can put on trains, the better it is.

Mr Bradley: Then it is an option available. I would certainly agree with that. We aren't going to replace the automobile in our society with our geography, and so on.

One of the problems we encounter at various of the GO stations is, indeed, the accommodation for individual vehicles. People want to use the GO service, but if they see a parking lot that is jam-packed, they might well continue on and out to the highway. How do you think that can be addressed? Will we be into, perhaps, parking garages? How can we address that problem of having people utilize the system by having parking lots available?

Mr Nicholson: Having experienced that problem on occasion, I think parking garages are definitely one option; going up instead of out, for example. Possibly, finding off-site parking and providing shuttle services between off-site lots to the stations may also be a factor.

Mr Bradley: The automobile companies also, in some cases, are involved in making other kinds of vehicles.

Some may even be involved in train engines and train cars and so on, so there's a possibility of some job opportunities as well.

Here's what people will say to you and to me, I suppose: "If you want me to use this service, first of all, it has to be reasonably economical to me. Second, it has to be reliable. Third, it has to be somewhat comfortable; not a cattle car, but something that's much more comfortable." Where would we be able to generate the funds to meet those? Do you see this as a private-public partnership, all private, all public? What would be your bias?

Mr Nicholson: Ideally, it would be a combination of private and public. In the instances where there have been moves in that direction, for example, the 407, I think that's a positive step. I don't think it's necessary that the government must own the system 100% in order for it to be efficient and effective. So I would say that the solution will be in some kind of a partnership between the public and private sectors.

Mr Bradley: You mentioned Highway 407, which allows me an entree to that particular issue. You seem to speak of it somewhat favourably. My constituents who phone me who use the 407 are not amused when the bill comes in. They're not amused, as well, with the way in which the collection takes place and penalties are added for a variety of reasons. So we do get calls in our constituency offices. In that particular case, it looks as though the government—this is a subjective evaluation; my friends across might not agree with me. The government certainly gave to those who now own Highway 407 an asset which (a) is supposed to be valued far greater than what the government sold it for and (b) seems to permit this company to raise rates almost at random, much to the rage of those who use the highway.

So how would that be of benefit to the people of Ontario?

Mr Nicholson: I would think that anything that allows us to increase the capacity to handle the traffic—I've spent many days on the 401 sitting, waiting. I've taken the 407, and I think that if there are ways to increase the capacity, and we may not always totally agree with how it's done, but if the outcome means that we have less traffic on the 401, that you're able to go from the Don Valley to the airport and catch your flight on time, then I think that's a positive thing.

Mr Bradley: It would be said by some, and I have observed this personally, it has been my observation—again, there are others who I'm sure respectfully disagree with me—that more and more we're having an Ontario for the wealthy and an Ontario for the not-so-wealthy by such things as people of very modest income being pretty well stuck on the 401 if they're driving a vehicle, because to pay the outrageous charges—"outrageous" being my description—for Highway 407 precludes many people in the lower income brackets from using it with any degree of frequency but allows people who either have the money themselves or have somebody else paying their mileage to use it. Do you not see a danger of that?

1140

Mr Nicholson: I think as long as the government is committed to improving the 401, widening the 401 and so on, and maintaining it, then obviously they're making sure there are options, that you aren't forced to either sit on the 401 or pay, as you characterize it, exorbitant fees to drive the 407. I think that's clear. The government isn't about to abandon public highways and so on. I think there are still options.

Mr Bradley: My colleague Mr Phillips asked a question of another applicant before us, another intended appointee before us, about potential conflict of interest. I don't see it in your resumé. Would you see any conflicts of interest that would arise in your background or your present situation?

Mr Nicholson: No, I don't believe I have any at all.

The Vice-Chair: Thank you, Mr Bradley. That's spot on the time, 10 minutes.

Mr Martin: Thank you for coming this morning. You'll probably not be surprised that one of the things that piqued my interest right off the bat looking at your resumé was this point that you make: "Achieved one of the lowest rates of staff turnover in the company while being the only union-free division." Were you trying to send a message to somebody there or does this indicate a bias on your part? What am I to read into that?

Mr Nicholson: I should step back a bit. As I said, I come from generations of coal miners. My family were always quite active trade unionists. My father was a union steward and so on. My reference to that was that we ran an operation where, although we achieved great success, we had an open-door policy, we looked after our staff and, as a result, we were non-union. That made us unusual in our company and unusual in the business. I took that as a signal that we knew how to run a good business, we treated people fairly and equitably, and that was the result. They didn't feel the need to unionize to get what they needed and wanted.

Mr Martin: So it doesn't indicate on your part any kind of a bias against unions.

Mr Nicholson: I've been a member of a union myself, Mr Martin. I was a member of OPSEU for six years.

Mr Martin: OK. Moving on then, you sat this morning very attentively as we interviewed Mr Leach. Certainly some of the questions and issues raised by Mr Phillips were, in my view, interesting. I didn't put that together myself, but I have a keen interest.

We also had the chair of the new board that you're being appointed to before us last week, and in that discussion a number of things came up that I just want your opinion on. He chaired the GTSB, which was not successful in arriving at a plan. Some of the reasons given—not necessarily by him, but others—is they couldn't get all the players to ante up, because it's very expensive to do this and it's a question of, how do you get people beyond the turf wars? If he wasn't able to get people beyond the turf wars in his previous incarnation as chair, I was concerned if he would be able to do that now in this new consortium of groups and all that. If he's not, given

his past track record, what is it that you could bring to the table that would give us some comfort that in fact we are going to have a plan that will work within a matter of a few short years?

Mr Nicholson: I think certainly my background in business. I'm very bottom-line oriented. I have a strong sense of urgency. I want things done yesterday, basically, if I can have it that way. And I think the new board, which is comprised of both public servants as well as people from the private sector, will be an improvement because the previous incarnation was essentially made up of elected politicians and so on and, as you say, the turf wars erupted. I think in this instance, having that private sector involvement will help to push things along and help to expedite it in some ways and maintain a focus on getting the job done, on achieving the goals that we've set out to do.

I have experience, as I said, in both the public and private sectors, so I think that has equipped me to have some understanding of how both systems work and how we may be able to forge bridges between those two realities to bring them together to achieve what we want to achieve.

Mr Martin: Will your stated political affiliation be helpful to you, particularly when you consider that one of the major players protecting their turf is a Liberal federal government?

Mr Nicholson: I haven't carried a card in about 15 years, so my involvement has certainly not been recent. But I would hope that something as important as public transportation in the engine of the country, which is the GTA, would be above partisan political considerations. So I would not expect—or I would hope not—that that would play a role in it.

Mr Martin: But you think your own personal set of skills and abilities will be helpful in getting the bulls into the ring and orchestrating the dance, I guess.

Mr Nicholson: I think so. The business I was in meant dealing with the public. You didn't know from one day to the next what you were going to be faced with—often difficult situations, judgment calls and so on. I think over the years I've been able to build a pretty good reputation as someone who can bring people together, who can find common ground, who can be a conciliator and so on and, at the same time, come up with a solution that works. So I'm looking forward, if I'm appointed, to bringing those skills to this board.

Mr Martin: I want to just focus for a minute on the issue that Mr Phillips raised. If it becomes obvious to you that there is conflict of interest happening—that Mr Leach, for example, in his role as member of the board of Highway 407 or the corporation that owns a lot of the capital that GO Transit will have to manage and that becomes an issue—what do you see your responsibility being in that kind of situation, if you detect that somebody else has a conflict of interest and it may be interfering in the public interest of this venture moving forward? What do you see as your responsibility there?

Mr Nicholson: I sat in on Mr Leach's presentation this morning and I was quite reassured that he was aware

of the potential and would act accordingly if that were to arise. In my own personal situation, if I were to become aware or feel that that was an issue, I would probably take it up with the chair one on one and express my concerns and see how they would deal with it. But I'm not there representing a particular business interest, so I'm not the kind of person who will sit back and basically nod and not raise a point if I feel that something wrong has happened.

Mr Martin: On first blush, do you think Mr Leach has a conflict?

Mr Nicholson: I'm not entirely certain of all his involvements. I know lots of people in business who sit on a number of boards and commissions and so on; some of them are heavily involved and for some of them it's basically just another thing on their CV. I'm not sure I'm in a position to answer that, not knowing exactly what Mr Leach's involvement is on both those boards.

Mr Martin: Thank you very much. That's helpful.

The Chair: We now go to the government caucus.

Mr Wood: We will waive our time.

The Chair: Thank you very much for that indication. The government has waived its time. Sir, you may step down. Thank you for being with us today and for answering our questions.

The Chair: We will be dealing with the consideration of these individuals. I should mention to Mr Martin that we will not be dealing with the individual at 1 pm, so we will be reconvening at 1:30. At this time we will consider the appointments that are before us this morning.

Mr Wood: I move concurrence re Mr Mugford.

The Chair: Mr Wood has moved concurrence in the intended appointee as member, Ontario Film Review Board, of Allan Mugford. First of all, any discussion?

Mr Martin: Even though Mr Mugford presented as a very nice family man and, to many other appointments, I wouldn't have any real difficulty, I'm just becoming more and more concerned—I don't know about other members of the committee—that we're getting people before us here, now lots of them, appointed to this board who have no other understanding of or experience or involvement in this very important piece of public business other than the fact that they're parents and they want to protect their kids.

1150

This is a very complicated, difficult, sophisticated issue. If you look at the material that was prepared for us to help us decide whether we think the appointments are appropriate, you'll note that this is a debate that is going on out there in the public that has tremendously significant ramifications no matter which side of the issue you come down on. To be continually appointing people to this board, which I believe has been the track record here over the last few weeks and months, who have no platform from which to launch into it except for the fact—and I don't diminish it for a second; it certainly is important—that they're either a grandfather or a father of some children, they have some time, they don't mind watching some movies, sitting down with the guys after

and making a decision about where they fit in terms of their classification and then sort of moving on, no sort of broader understanding of the debate at all, I think that we will find ourselves in some real difficulty that could be avoided if we were to work harder at trying to find some balance in terms of who sits on this board. We had a person before us last week who got appointed who had some obviously very strong and very sincere religious affiliation and conviction that I suggest may cause him and us and the general public out there some difficulty down the road as we watch him perform in this capacity.

So it's having said that that I certainly will not be supporting Mr Mugford this morning in his appointment to this position.

The Chair: Any further discussion of this appointee? If not, I will call the question. All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Leach.

The Chair: We have discussion, then, of this. Does anyone wish to discuss it? It has now been moved by Mr Wood, concurrence in the intended appointment of Mr Allan F. Leach to the GO Transit board of directors.

Mr Gravelle: Certainly all members of the committee should have very real concerns related to the appointment of Mr Leach. I think it's very apparent that indeed he is in a serious conflict related to his position with SNC-Lavalin, perhaps even more so with the board of the 407 corporation, which obviously we weren't even aware of until he actually made reference to it this morning. I think that's one that Mr Leach himself did not seem to be willing to even accept as being a potential conflict. I appreciate he's a man of honour and he indeed said that if there was a conflict he would do something. But it's an extraordinarily strange juxtaposition. Here's a man who is sitting on a corporation or two boards that are obviously designed to try and get more cars on the highway and more cars passing through so they can get more money, and then one who is asked to sit on GO Transit.

It seems ironic to me that this is also the man who, when he was minister, was responsible for removing all support for public transit in the province of Ontario for a number of years. Many of us were up many times saying that we should have it returned. So that seems like an odd thing as well.

Also, just the appointment itself: I do wonder what role Mr Leach is playing. He's obviously being appointed as somebody who is very well connected to the government in terms of the direction they want to go, and it gives me some concerns as well. It's clear that he would be appointed by a minister who is presumably a friend and somebody who does want him to play a certain role, which reminds me of some of the concerns that have been expressed about a former federal minister who was being criticized for trying to appoint people to a crown corporation.

So I think there are a variety of reasons why our caucus would not be supporting it and I will be voting against it. I think the government members should have those concerns as well, because it's clear that there's a

very serious conflict, let alone other concerns. I'll be voting against it.

The Chair: Thank you, Mr Gravelle. Any other discussion on the appointment of Mr Leach?

If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Shukla.

The Chair: Mr Wood has moved concurrence in the intended appointment of Mr Shukla to the Ontario Lottery and Gaming Corp board of directors. Any discussion?

Mr Martin: Recognizing the vast amount of expertise that Mr Shukla could bring to this appointment, I have to say that I'm very, very concerned by what it indicates to me in terms of direction for the Ontario Lottery and Gaming Corp. It certainly isn't someplace I think we should be considering going at this time, certainly not without full and broad consultation with communities and with people across this province. I think it's a very dangerous area to be looking at, added to everything else that has been offered now by this government without any broad or public consultation about the expansion of gaming opportunity at racetracks. I think we really have to slow down, we really have to think about this and consider it in the broadest context possible, its impact on communities, on people and on the charitable sector of our communities.

Because of that, I will not be able to support this appointment this morning, if for no other reason but to send a message to the government and to the lottery corporation that you don't go down this road without there being considerable concern and challenge and opposition to that, and that's getting into the area of Internet and computer gaming.

Mr Gravelle: Mr Shukla is a very impressive man, and I think he handled himself extremely well this morning. But I have concerns very much that Mr Martin expressed in that when Mr Shukla was responding to questions related to for what purpose he was being brought on the board in terms of Internet gambling, he was very specific about saying it was to help the gaming corporation with Internet strategies. To me, ultimately that's a code for what I think the corporation itself would want.

I certainly in no way question Mr Shukla's intentions, other than the fact that I think the government sees him as a person who can help them move in this direction, and that gives me a great deal of concern as well. I think it's entirely likely that that is the reason they are very keen to have him on the board. That expansion of gaming opportunities I think is one we should all be concerned about and it should be, quite frankly, something that is being at least openly discussed, if indeed that's where they're going and if the government is keen to appoint people such as Mr Shukla with that particular level of expertise.

So I think for that reason we should all be concerned as well. Certainly, we'll be voting against his appointment.

Mr Johnson: Mr Chairman, I just had a little bit of a problem with some of the excuses for voting against some of the intended appointees. My observations are these. In this particular man we have a very qualified individual, qualified in two or three different ways, but one is in law, and I think that's important on this particular board. He's qualified in electrical engineering and the Internet, although I can't really put my finger on that Internet; I think it's out there. It's a little like the air I breathe. It's hard for me to visualize it in some ways, and yet I don't want to minimize the importance of it, nor of the qualifications of the individual applying for it, and that is my point.

We were also asked a little earlier to choose Mr Mugford, whose qualifications as I heard them were that he was a family man and had some very basic qualifications in the sense that he felt it was a family who should decide what their family members should see. Sometimes that would not always be as easy as you would think, but he was kind of discouraged from that by the remark that he had no particular qualifications in spite of those very strong characteristics of background that I heard him express.

I wanted to point out, particularly with this candidate, does his knowledge of the Internet and electrical engineering give him a conflict of interest like we were supposed to sense in Mr Leach? He has a tremendous background in transportation, yet I notice that he is also involved in a company that has golf vacations. Those golf vacations, I think, would probably be done by airplane or highways in the United States, yet I didn't hear anything about the conflict of interest between that and GO or the 407 or the 401. So I'm a little bit perplexed, I guess, that we seem to be using different kinds of yardsticks or metre sticks or whatever guidelines we're using to judge these individuals.

But I did want to make this point, and that is that I am extremely satisfied with the qualifications of this individual and wish him well, because I wholeheartedly support his appointment to the Ontario Lottery and Gaming Corp board.

The Chair: Any further discussion?

Mrs Dombrowsky: I would not be able to support the appointment of this particular candidate, Mr Shukla, his credentials notwithstanding. The concern I have is that Mr Shukla indicated he had a conversation with the chair of the gaming corporation, at which meeting he very clearly indicated where his area of expertise was and, because of that area of expertise, the chair thought he would have some value on the committee. I think over the course of the conversation, I was able to determine that Mr Shukla would probably be an advocate of Internet gambling, and I have to say that I personally have some very serious concerns and problems if that were to be an initiative of the government. I'm not so confident that the perspective the intended appointee would bring to the corporation would be that of the average citizen; rather, in fact, I think he has a very clear and definite perspective that he, and I think he even today

suggested it by way of his comments, would be advancing at that body. So for those reasons, I'm not prepared to support an individual who I believe will be there and will be most definitely advancing an area of gambling that I don't agree with, that I don't think would be healthy for the people of Ontario.

The Chair: Any further discussion? If not, I'll call for the vote on the appointment of Mr Shukla. All in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Nicholson.

The Chair: Mr Wood has moved concurrence in the intended appointment of Mr Hugh Nicholson to the GO Transit board of directors. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Our business for this morning is concluded. We will reconvene at 1:30 pm in this room.

The committee recessed from 1204 to 1334.

WENDY McPHERSON

Review of intended appointment, selected by official opposition party: Wendy McPherson, intended appointee as member, Niagara District Health Council.

The Vice-Chair: Good afternoon. We will call the committee back to order and we can continue on with the interviews of our intended appointees. The next intended appointee is Wendy McPherson as a member of the Niagara District Health Council.

Ms McPherson, if you could come forward and sit right there it would be great. Good afternoon and welcome. You have an opportunity, if you wish, to say a few words to the committee in general. When you are finished with that we will proceed to questions from all three parties, beginning I believe with the third party. Go ahead, please.

Ms Wendy McPherson: I'd like to thank the members of this committee for the opportunity to come before you today. I have prepared a short summary of my experience and my reasons for volunteering to serve on the Niagara District Health Council.

I was born and raised in Toronto. I attended the University of Toronto and graduated from nursing. While at the university I developed two interests in nursing which have remained with me throughout my career. Those interests are public health and mental health issues.

I started my nursing career at the Queen Street Mental Health Centre in the old Ontario hospital, not the current centre. Although I enjoyed working there and it was excellent experience, I had accepted a public health nursing position dependent upon my registration. I moved to the borough of York, now the city of York, when my registration came through. When I was hired I was told by the director of nursing that I was the first new graduate she had ever hired and she hoped it would work out for both of us. It must have, because I was there for seven years, until I left to have my daughter.

I worked as a generalist doing community visits, well-baby clinics, communicable disease follow-up, immunization and school health programs. I learned a lot in this

inner-city work environment. I did not return to this position because we moved to Whitby.

After two years at home being a full-time mother, I returned to public health nursing, although I also thought about Whitby Psychiatric Hospital. By this time nursing was beginning to specialize, and I worked on the adult health team. I eventually became the team leader there.

I worked for Durham for two years until I left to have my son. After my son was born, my husband was transferred to Niagara Falls. Again I spent two years at home as a full-time mother. I returned to public health nursing on a part-time basis teaching prenatal classes in the evening and working some days in various parts of the region. When I rejoined the workforce full-time, I continued to teach prenatal classes and to work on the adult health team.

A large proportion of the population of the Niagara region is over the age of 65. I had developed a love of working with seniors back in my borough of York days. In Niagara there were far more opportunities to work with seniors.

About 17 years ago I decided I wanted to specialize in geriatric nursing and enrolled in a master's program in Buffalo, because there were no part-time courses available at a reasonable travelling distance other than in Buffalo. Once I had my degree I looked for an opportunity to expand my experience. I obtained a position as a discharge planner at Greater Niagara General Hospital. After four years in that position, the opportunity arose to develop the geriatric assessment program and I was fortunate enough to be given the opportunity to use my skills and develop this program.

The Niagara health system geriatric assessment program is a unique program. It was established with the goal of providing local geriatric services to the senior population of Niagara. Before this program, seniors requiring specialized geriatric services had to travel to Hamilton or Toronto.

The program has clinical nurse specialists and geriatricians working together to assess patients and provide the primary care physicians with recommendations. This is a consultation service, not a primary care service.

The program consists of outpatient and in-patient services, community outreach and education. We have three geriatricians from McMaster providing eight clinic days per month. A clinical nurse specialist, who takes a history, does some tests and performs a physical examination, assesses the patients first. A report is generated and sent to the primary care physician with recommendations. Later the patient will be seen at the outpatient clinic by the geriatrician if necessary. Often the primary care physician has acted upon the nurses' recommendations and the patient is well on the way to improvement by the time the geriatrician sees him or her.

1340

Some patients do not require a geriatrician and the nurses' recommendations are sufficient. We see about 1,000 patients in about 96 to 98 clinics per year, with a yearly program budget of just under \$200,000. There is

an in-patient geriatric assessment unit comprising eight beds where patients can be assessed and treated.

I recently presented a proposal which was accepted by the executive of the Niagara health system in January this year to expand the program to the whole of the Niagara region. I am in the beginning stages of this expansion. The education component of the program consists of providing McMaster medical and nursing students with clinical experience at our clinic. The program also provides educational sessions for staff and workshops for interested health care professionals. We work closely with the Alzheimer Society, community care access centre case managers and other service providers.

This program was instrumental in the district health council developing a subcommittee to look at services for seniors in the Niagara region. I was a participant in all three phases of this process.

I am currently co-president of the Gerontological Nurses' Association for the Niagara region. This is an RNAO interest group. I am a member of the Ontario Gerontological Nurses' Association. I have taught courses in gerontology at Niagara College in the past. When my children were in school I was a member of the education council in their schools.

As for the reason why I volunteered for the district health council, I am at a stage in my life where I feel that I have the time and energy to give something back to my community. My husband and I have raised two relatively healthy, well-adjusted young adults who no longer need me to be a hockey mom, attend piano recitals or help with the learning process. I have resided in the Niagara region for the last 20 years and have worked in both the community and hospital settings throughout the whole region. I feel that I have a health care knowledge base, a variety of experiences in health care settings, both urban and rural, and maturity or life experience to offer.

I saw a call for volunteers in the newspaper and forwarded by resumé, as requested. I enjoyed working on the district health council subcommittees and wanted to remain involved. My personal reason is that I find new challenges exciting and view them as a learning opportunity. These opportunities help broaden my perspective. Thank you for your attention.

The Vice-Chair: Thank you, Ms McPherson, very much. We'll begin the questioning with the third party.

Mr Martin: Thank you for coming this afternoon and for putting your name forward to serve in this capacity. The answer is probably obvious, but what was the main motivation to seeking out this appointment at this time?

Ms McPherson: Well, I've been on boards in the past. I liked doing that. I worked on the district health council subcommittees and I found that interesting. I felt that it really broadened my perspective of the health care system. I have the time, and I saw it in the paper. There was also one for the library board, and I thought, "Well, I know more about health care than I do about libraries," so I volunteered.

Mr Martin: Did you do it out of some sense of there needs to be some fixing done? What would be the problems that you—

Ms McPherson: I work in the health care system. I know there is a need. There is a lot of change taking place and I know there's a need for people to be willing to work toward making our limited resources go as far as possible. I felt that partly our program was quite innovative and does function on a relatively small budget for health care. We see a lot of patients and I feel we do a lot of good. We have a long waiting list now because it's a very popular program. I felt that was innovative and therefore might be of value because there are seniors' issues in the Niagara region.

Mr Martin: What would the priorities be for you in health care right now?

Ms McPherson: We need primary care physicians desperately. We need more long-term-care beds in the Niagara area. The population is aging. Fourteen years ago, when I was working as a student at Dorchester Manor in Niagara Falls, the average age of the patients there at that time was 86.5 years. When it had opened 25 years earlier, their average age was only in the 60s. So people are staying out in the community much longer with the supports that are there, but eventually they need care. If you have somebody who is 85 to 90 living in the community, they are living with a spouse who is almost as old or older and their children are also in the seniors age bracket and are starting to develop problems with their health, and it's a very difficult situation. You can't expect families to carry someone who is very demented, in end-stage Alzheimer's. Families do a wonderful job keeping people out in the community for a long time. The supports that are out there aren't sufficient, but it's amazing what people can do to keep someone at home.

Mr Martin: What do you see as the district health council's role in all of that, in trying to respond to and answer some of the challenges you have identified and put forward?

Ms McPherson: At the district health council we did, with the subcommittee, develop a proposal for regional geriatric services. It was a coordinated proposal to take the various service providers in the area and get them to work together to provide a coordinated service to help people.

As far as nursing home beds, I know that we are getting some more nursing home beds. They aren't coming fast enough for some people; we have relatively long waiting lists. But the district health council is an advisory body to the Ministry of Health and Long-Term Care, and therefore they can make the concerns known to the Ministry of Health that these beds are needed desperately.

Mr Martin: And it would be your thinking that the ministry then should be responsible for responding to what you have identified as a need and should actually do something about it?

Ms McPherson: It would be nice, but I know also that we're looking at limited dollars, so we have to look at creative ways to help people. I've worked in both the community and institutions, so I've been in the institutions and I've seen people discharged home on home

care; then I've seen cutbacks in home care, and the same people come back in because the caregivers can no longer manage. When I worked as a public health nurse out in the community, I used to beg the home care coordinators—at the time, they were called coordinators—not to discharge somebody from home care, because I knew that the little bit of service that I was giving was keeping them there, the fact that I was at the end of the telephone and could talk to them and help them and provide them with the ways to continue to cope.

I do the very same thing in the position I'm in now, because I get families calling me and they say, "I just can't do this any longer. What can I do? I need a nursing home bed yesterday"—not today, yesterday. Often you can work with them to find enough resources—caregivers, daycare, respite care, that kind of thing—to keep the person from collapsing and coming into the hospital, which is already overloaded with care.

Mr Martin: Do you think the district health council should have more authority to direct the ministry to do some of the things it identifies as necessary, as opposed to simply being an advisory body? As you said a minute ago, you would hope the ministry would do something, but mostly it's a challenge back to the community to be creative.

Ms McPherson: I guess I've seen recommendations come from the district health council, and people I work with say, "Oh, well, it's a recommendation. It's not"—it would be nice if it were more than a recommendation. If they had more power, they might be able to implement things. They're still going to be limited by financial resources, so I think they can work as a body to help people get together, like we did with the proposal for the seniors' services in Niagara. There are a number of bodies providing service: the Alzheimer Society, the mental health outreach, our program, the CCAC. You can help them get together and coordinate and perhaps not duplicate and therefore use services better to help people so that we're not repeating the same analysis every time. It takes time to go in and take a history, so if we had a common record that everyone could share, then we wouldn't have to ask.

1350

As a public health nurse, when I was doing home care visiting, I would go in and I would be the fifth person in that day because the person had just been put on home care. Each one of us would take a history and ask the very same questions. If I happened to be the unlucky one who came in as the fifth person, the patient or the family was exasperated. If we had a common record, then we wouldn't be doing that. We could share our information. We wouldn't have to ask the same questions and frustrate people who are already having a difficult time dealing with the care they're providing for their family member.

Mr Martin: On the one hand, I need to say you're fortunate that you're going on a district health council that has actually done something in the last little while. There are at least four reports listed on the material that

we've been presented here today where your district health council has done some analysis, but there is nothing to indicate in here that anything actually ever came of that. I think you're absolutely right that the issue front and foremost right now in the health care system is money, where do you get the money? If, as a government, you've given the money away in tax breaks, you don't have it to deliver the kinds of services that are identified as necessary in your area.

In our area, we don't even know where the district health council went. We used to have one in Sault Ste Marie and it was very active. It used to pull people together around issues. It used to not only advise government but it used to tell government what it needed to do and all kinds of things. But we don't hear about it any more. It operates, I think, out of Sudbury somewhere and we're not sure what it does.

I just want to say good luck. I think you have a healthy attitude and bring a lot of experience to the job. Hopefully you will be able to move it and make it a body that will be willing to stand up to the government and say, "Hey, we need some more money in here if we're going to be able to do some of these things." Thank you.

Mr Wood: We'll waive our time.

The Vice-Chair: We'll move to the official opposition.

Mr Bradley: You have explained some of your background and your reasons for coming on the board. Did you have any contact with any provincial member of Parliament regarding coming on the board?

Ms McPherson: No.

Mr Bradley: This was strictly your own initiative, wasn't it?

Ms McPherson: It was my own.

Mr Bradley: That's very positive. One of the things that I have observed over the years is, first of all the district health councils were non-partisan, then they became partisan, and now I think—I hope—I am perceiving, from the people I've seen come before this committee, a move to a less partisan situation. That's positive, in my view.

We have a huge problem with the community care access centre services, home care services. They identified, I think, a \$9-million shortfall this year. They identified it last year and the provincial government provided the funding, and then this year reverted back to the old allocation. In your observation, is there an additional amount of money required for home care and extended care for patients in Niagara?

Ms McPherson: I think that we can always do with more money, but it's like my own personal finances. I could always do with more money too, but it's not forthcoming; therefore I have to live within the budget. I think that the CCAC, if we all work together instead of working in our little silos in Niagara—and I'm sure you're aware of all the silos. It's been a difficult struggle with the restructuring to get people to work together and co-operate.

I know Mr Martin said there wasn't any evidence that our recommendations for the seniors' services have

moved forward, but there actually is evidence. At the Niagara Health System we are regionalizing the program that was just in Niagara Falls, so we are now providing geriatric assessment services throughout the region.

The senior citizens' department has picked up one part of that recommendation and is putting in a behavioural unit. They're reorganizing. They're not getting any more beds; they're not getting any more money. They're reorganizing their beds and they're building a facility for behavioural management for 22 patients. They will provide that part of the recommendation for this service.

The Niagara—I've forgotten what I was going to say. There is another part of that that somebody has picked up on, and we are working toward developing something that is more coordinated than in the past, so that we're not duplicating, and we're trying to coordinate our finances so we can provide. All the while we were doing those reports it was, well, we know there's not likely to be more dollars coming, so we have to look at how we can do this the best way. It would be lovely to have an unlimited pot of money, but—

Mr Bradley: When the local CCAC asked for more money, the executive director was fired and board members are gone, and now a call has gone out to the local Progressive Conservative association executive to submit names for the CCAC board. Let me ask this question then: if you're prepared to accept the amount of money they're giving—I think you're going to get that amount of money—are you prepared to advocate for additional funding, or are you prepared to live with the funding they're going to give you?

Ms McPherson: What started my interest in all this was the fact that we were advocating for money for our program to the Ministry of Health. Our doctor, our CEO at the time, Mr Carter, and myself came to Queen's Park to talk with the Minister of Health, and we were directed back to the long-term-care ministry and the district health council, and that started the whole process. I think it's close to seven years now that we've been working on that, but we're finally beginning to see some progress.

Mr Bradley: You mentioned that you worked at Dorchester Manor and that the kind of patient—or the kind of resident, sorry—you would find at Dorchester Manor today, or any other seniors' home, is likely to be different from what you would have found 20 years ago in that they are substantially older and likely require heavy and more intensive care. Do you believe that the per diem, which has been in effect or raised only minimally over the years, should be raised so that these homes are better able to cope with patients and residents who require much more intensive care and assistance than was the case, say, 20 years ago?

Ms McPherson: I think the people we're looking at, at this point, who are aging and going into those facilities, will probably have better pensions than the people who are there right now. A lot of people who are in the subsidized homes for the aged are basically on old age pension and supplement, so they haven't got the resources to pay a higher per diem. So, if you ask for a

higher per diem, either the family is going to have to pick up the difference, if there is family, or the old age pension will have to be adjusted to pay that. Someone who is basically on old age pension and supplement is paying their full amount of pension, and they get a comfort allowance back. That's all they have. Their income is gone to keep them in that subsidized bed, and they receive a comfort allowance.

Mr Bradley: What I was thinking of in this case—I should have been more specific—was the per diem the province pays. Those who operate the homes at the present time are finding that residents and advocates on behalf of residents are complaining much more loudly about what they perceive to be a diminishing of services available to the residents. Do you believe it is essential then for the province to provide an additional per diem that it would pay the nursing home per year from the province to what is the case today?

1400

Ms McPherson: It definitely would be beneficial for the patients. We have a limited number of nurses available. We have a shortage of doctors and nurses in this province. People who like working with the elderly should be as well paid as people who work in emergency rooms and other places, but they often tend not to be. We have people who try to solicit our nurses and doctors away from our area, and we have lost a large number of them either to the United States or to other areas. We have nurses in the Niagara region who are not as well paid as the nurses in Toronto. Perhaps the hourly rate is the same, but the benefits are different. So we're losing nurses to places that provide an educational allowance and various things like that that we don't have available in the Niagara region.

The nursing homes are in even worse shape than that. I think people deserve to have good care. I think it does not necessarily have to be an RN providing the care—an RNA or a caring person can provide custodial care—but these people deserve more than just the minimal amount of care in the nursing home.

Mr Bradley: If I were to find, and I'll pull a figure out of mid-air, \$300,000 that could be well spent in the health care system rather than on a press secretary for the Minister of Health, if I could find that money and place it in Niagara, how would you suggest—I'll take away the other half because I don't want you to be embarrassed by the question, and say, how could you use \$300,000 in the Niagara region?

Ms McPherson: I guess I would like to see some of it go to enhancing the current facilities and increasing them. Three hundred thousand wouldn't go very far in today's world. The other thing is, I'd want to guarantee that it would continue to come the next year and wasn't just one-time funding, because one-time fundings provide lovely services for a year or two, and then those things disappear and it makes you unhappy that you no longer have what you had. So I wouldn't want to accept it unless it came with a guarantee that it was continual.

We have been granted the status of underserved for physicians. I understand that Port Colborne has provided

some incentives financially to get doctors, and they've got some, so some of the money could be used there. But I guess if I were truly selfish, I would say I would want to develop the program I developed to be a totally regional program where we had enough geriatricians and family physicians to look after the elderly.

Mr Bradley: Perhaps I could write a letter to the Minister of Health and suggest where he might apply \$300,000.

The Vice-Chair: Ms McPherson, thank you very much. That completes this portion of the process. We'll be considering your appointment later in the afternoon.

I think the Chair and I will be switching places.

RONALD ATKEY

Review of intended appointment, selected by official opposition party: Ronald Atkey, intended appointee as member, Ontario Mental Health Foundation.

The Chair: Our next intended appointee is Mr Ronald Atkey, intended appointee as member, Ontario Mental Health Foundation. Mr Atkey, would you come forward, please. You are aware, I believe, that you have an opportunity to make an initial statement, should you see fit, the time of which is deducted from the Progressive Conservative government members' ability to ask questions. I don't want to intimidate you by saying that, but I just wanted to inform you of that, and then there will be questions from the committee. Welcome, sir.

Mr Ronald Atkey: I have a very short statement. I'm honoured to appear before you as a prospective appointee, by way of order in council, to the Ontario Mental Health Foundation.

In a previous political life in Ottawa, I was always a strong supporter of the principle of transparency and parliamentary review of appointees to government agencies, boards and commissions. I'm pleased that the members of the Ontario Legislative Assembly seem to be well ahead of their counterparts in Ottawa, and I'm more than willing to expose my professional background and experience to your scrutiny in these proceedings today.

I have no pretensions about having any particular expertise in the field of mental health. My professional education, training and experience is in the law: as a professor of constitutional and administrative law at three Ontario law schools—Western, Osgoode Hall, and the University of Toronto; as counsel to the Ontario Law Reform Commission in the early 1970s; as a member of Parliament for the constituency of St Paul's for a period of two terms, during one of which I served as Minister of Employment and Immigration; and as a partner for 25 years in the national law firm of Osler, Hoskin and Harcourt LLP, serving clients on corporate and regulatory matters. I should add that during the period 1984 to 1989 I was the first chair of the Security Intelligence Review Committee, mandated as a watchdog over the fledgling Canadian Security Intelligence Service.

In recent years I have spent a lot of time serving my community as a director of the Canadian Film Centre, the

Toronto Symphony Orchestra, and the Council for Canadian Unity.

Why, then, you might ask, would my name be brought forward for an appointment to the Ontario Mental Health Foundation? This is not a position I sought. It was one suggested to me by an existing foundation member, since she thought that my skills as a lawyer and as a board member of not-for-profit organizations might be useful to the foundation when combined with my experience in government. It's my understanding that my proposed appointment came about as a result of Mr Wolfe Goodman, QC, completing his term as a member of the foundation. Mr Goodman is a distinguished legal practitioner, and I would hope to bring the same expertise, integrity and good judgment to bear on decisions of the foundation that he served for so many years.

In addition, I would hope that my experience as a fundraiser for not-for-profit causes such as the Canadian Film Centre and the Toronto Symphony might be useful to the foundation if and when it decides to expand its mandate to include fundraising from private sector sources.

While I have no particular expertise in the mental health sector, I have personally witnessed in the workplace, in community organizations, in university settings and with personal acquaintances the occurrence of schizophrenia, major depression, panic disorder, obsessive-compulsive behaviour, manic depression and eating disorders. I am acutely aware that 20% of our population—one in five—is likely to be diagnosed at some point during their lifetime with a mental illness, and I am painfully aware of the alarming increase in youth suicide and mental health problems. For these reasons, I'm honoured to be asked to join this foundation, a distinguished group of health care experts and citizen activists, to consider and approve research grants, training fellowships and sponsorship of publications, conferences and other public events.

Since my appointment was first proposed, I have taken the time to familiarize myself generally with the Newman report, which reviews the state of mental health reform in Ontario and proposes closing the gap between institutional and community-based care. As a member of the foundation, I would hope to bring my experience and judgment to bear in attempting to fulfill the goals articulated by the Newman report and the implementation strategy that the Ministry of Health announced in 1999 called Making it Happen.

Apart from my professional background, I have lived in a number of communities in this province and appreciate the diversity of needs, both rural and urban. I grew up in Petrolia, an agricultural town with a rich history related to oilfield developments. As a teenager, I moved to Sarnia. My last two years in secondary school were spent in Port Hope. Then I spent 10 years of my life in London at the University of Western Ontario both as a student and as a law professor. For the last 30 years I've been a resident of Toronto, although for a short period of time in the 1970s and 1980s while in government,

Ottawa was my home. Each of these communities has helped shape my background and my judgment.

My wife is a lawyer involved in the energy business and heavily involved in community, cultural and health care organizations in Toronto, including being past chair of a hospital board. I have three children, one at Queen's University in Kingston, a second at the University of Western Ontario in London, and a third who has moved temporarily to the United States to pursue her advertising career.

Finally, I would be remiss if I did not mention as a lawyer that I have read the Ontario Mental Health Foundation Act, and I'm fully aware of my obligations and responsibilities if my appointment is confirmed.

Please feel free to ask me any questions that might be helpful to your deliberations. Thank you, Mr Chairman.

1410

The Chair: Thank you very much. We begin questions with the government caucus.

Mr Mazzilli: Thank you very much, sir, for appearing. I also represent the community of London and am from London, but I never moved away to Toronto or any other place, so I certainly appreciate your filling us in on your travels around Ontario.

There's one thing I do want to ask. You mentioned the fact that we're moving, and we have been for a number of years, from institutional to community care in the area of mental health, and it certainly is appropriate, but the one thing that we seem to have difficulty with is the adjustments of the legal system. People, often through no fault of their own, whether they're off medication for short periods of time, have run-ins with the law and then are put through the judicial system. People in mental health will tell you that once people start deteriorating, it takes a long time to bring them back up. It seems to me that this is occurring, that there is a gap. Because as people out in society, we're all treated equally by the law, and ought to be.

But how do we—I won't say how do we; I would just ask that as a member of the foundation, when you're looking at some of the solutions, you keep that in mind on some of the research and so on, how we close the gap of not putting people back through a system and allowing them to deteriorate further, all to go back into the institutional care.

Mr Atkey: Thank you, Mr Mazzilli. I certainly will endeavour to keep that in mind. There are many instances where the law, as such, lags behind the need for social change, and it's only through the funding of research and through empirical experience in bringing that to bear and decisions that would be made in this building and in Ottawa that changes can occur. So I appreciate your observation and thank you for it.

Mr Mazzilli: That's my only question.

The Chair: Thank you.

Mr Wood: We'll waive the balance of our time.

The Chair: Then we'll go to the official opposition.

Mrs Dombrowsky: I want to first of all go to some remarks you made initially in your opening comments

with regard to the fact that you were approached to consider this role, you believe, because of your previous status as a member of the federal government for the Progressive Conservative Party?

Mr Atkey: No, that wasn't it at all. I'm not sure that that was a factor. The existing foundation board member knows me as a fellow board member of a not-for-profit organization which I have served, the Toronto Symphony Orchestra. I have spent a great deal of time and effort in the deliberations of that particular organization and was vice-chairman until recently. It was in the context of dealing with those issues, which are of course totally unrelated to either party politics or mental health, that she had suggested my name be brought forward. I have no idea of that member's politics. She certainly knows mine, and it's there for all to see.

Mrs Dombrowsky: Oh, I'm sorry, because I did think that that was part of your opening remarks.

That, then, notwithstanding—and you've indicated that you really don't have any background in the area of mental health—

Mr Atkey: That's correct.

Mrs Dombrowsky: —although you have had an opportunity to review the act and some of the more recent studies that have been undertaken in that particular area, I was wondering if you could share with this committee if you are aware of any crises or pending crises in the area of community mental health in Ontario.

Mr Atkey: I am generally aware of two factors. First of all, the increase in teen suicide is alarming in this jurisdiction; it's alarming throughout Canada. That is, I understand, directly related to mental health. So I bring that both as a personal experience and observation and having read the literature.

The second crisis, I would suggest, is the issue of homelessness, particularly the plight of homeless people in urban centres. While that's not purely a mental health issue—it's also an economic issue—I understand that there are severe repercussions related to the misuse of alcohol and drugs and the lack of a sustainable support system in the community, which leads to mental health deterioration. That's obviously a crisis in this community, in which I live, and is something that I would think the foundation, if I were to be appointed, would probably want to address at some point in its research-granting functions.

Mrs Dombrowsky: You indicated in your remarks that you'd had an opportunity to review Mr Newman's document, *Making it Happen*. So if you've had that opportunity, you would be aware that one of the strategies recommended was that the government would increase funding for community health providers, including such programs as supportive housing. Another recommendation was that the government would increase funding for supportive housing managed by local community agencies. Did you have an opportunity to investigate or explore if in fact those additional funds have come from the government?

Mr Atkey: No, I have not. It's my understanding that, in terms of government funding, that's something beyond

the purview of this foundation. It receives money from the government; it doesn't lobby the government for money. It has the capacity legally to raise monies from sources other than the government, but currently does not do so. The budget, insofar as I have seen, is significant. Whether it's enough, I don't know.

Mrs Dombrowsky: I certainly do appreciate that it would not be your role to provide any recommendations to the government around funding, but I'm trying to build a case here, I guess, as you would put it in your profession. I'm sure you would agree that appropriate funding for the initiative to move individuals with mental health illness from an institutional setting to a community setting would require those kinds of resources, not just for physical structures but also for the human resources that would be required to make those facilities viable.

It is part of your mandate to consider training. I guess what I think is important you understand are situations that have been revealed to me in my role as a local member. I'm sure you will hark back to those days when you were a local member and people walked through the door of your office; they share with you their great frustration when they do not have the resources to meet the mandate they have been given.

I would suggest that in community mental health there are many areas, particularly with regard to community health providers and supportive housing for people with mental health illnesses, where we are nearing a crisis situation. Individuals who have been trained to manage people with mental health illnesses are not being sufficiently or appropriately compensated. There is not significant recognition or encouragement for individuals even to enter this field. I'm sure you can appreciate that when compensation is not great, it's quite difficult to encourage people to consider a profession that can be very taxing on them, can be especially draining.

As a member of this foundation and as someone who has responsibility to consider training, would you have any ideas to encourage people, who are very badly needed in this profession, to consider it? I'm going to tell you about a home in my riding where the staff turnover in one year was 114%. So I'm sure you can appreciate why, for individuals who might be in that accommodation with mental health illnesses, that would be a less than supportive environment for them to be in.

While you don't directly impact recommendations around funding, I'm sure you can appreciate why, when a service as important as this one is underfunded, that has a ripple effect and it affects the ability of the profession to attract people, to look after people with mental illness. So what do you think you could do in your role as a member of the foundation to prepare people better, to attract people to this profession?

1420

Mr Atkey: Mrs Dombrowsky, you make a very compelling case, if I may say. It would be premature for me to give you a detailed prescription of what I might do, although let me say this: mental illness is always referred to in our family and in the communities in which I've

lived as the unseen illness; people don't look sick, and so there's a common acceptance of the fact, wrongly, that they're not sick. Having observed mental illness in a variety of forms in a variety of communities, I think to the extent that education can bring various types of mental disorders out into the open, in the broader sense—and that's also part of instruction, training, if you will—I can bring that particular perspective to bear and perhaps some political experience in how to do that without achieving results which are counterproductive to greater funding allocations, as you suggest. I appreciate the direction of your comments and the case that you make.

Mrs Dombrowsky: I make them because I'm very concerned about the people who live in my riding who I believe are not well-served by the system that is in place. I hope you can appreciate why, when I have this opportunity to inquire of someone who is intended to be appointed to a foundation that considers the state of mental health in the province, it's important for me to understand how you, in your role, might be able to assist these very good people, who through no fault of their own find themselves in a situation without the supports they need, to perhaps even be reintegrated eventually into our community.

Obviously, for the people who are in charge of looking after these programs there is great frustration there too, that the role of providing these services is not really valued. I think that's confirmed because they're not appropriately funded. I really need to understand, or at least sense from you, that you would be prepared to be an advocate for the people who provide these services.

Mr Atkey: I can give you that undertaking, Mrs Dombrowsky. I think the very fact that I'm here, willing to accept this appointment if confirmed, rather than going on the board of a hospital or perhaps in a more conventional health care role, speaks volumes as to my commitment and the importance of mental health generally in the province.

Mrs Dombrowsky: Would you be prepared to visit mental health facilities?

Mr Atkey: Yes, I have and I will.

Mrs Dombrowsky: Around the province?

Mr Atkey: Yes.

Mrs Dombrowsky: Very good.

The Chair: That concludes your time allocated for questions. We now go to the third party, and we welcome, by the way, Mr Kormos to the committee—

Mr Peter Kormos (Niagara Centre): It's a real pleasure, Chair.

The Chair: —as a visitor to the committee. We commence the questions with the third party. Mr Martin.

Mr Martin: Thanks for coming today. We've been listening intently to some of the conversation around the table and note your interest in the areas of teen suicide and homelessness.

Is there anything else in particular that you would want to accomplish or achieve in accepting this appointment?

Mr Atkey: I have no hobby horses or pet projects, Mr Martin, other than as a member of this foundation par-

ticipating in the decision-making regarding the expenditure of government largesse. I would hope to exercise care and caution in the sense of having the taxpayers' dollars spent wisely to achieve the greatest possible benefit.

Mr Martin: Given the very huge challenge that's out there, as you've referenced in your answers to others' questions, where mental health is concerned and the lack of understanding, it would seem to me that you would also be wanting to make sure there was lots of largesse to spend in appropriate ways on behalf of people with mental illness. Would that be part of your—

Mr Atkey: I don't think it would be, to be honest with you, Mr Martin. I didn't foresee it, and as I read the legislation, it's the role of members of the foundation to lobby the government, or the government of Canada for that matter, to increase the largesse that would be made available. That's part of the political process which you're directly involved in with others around the table and in this building. As I see it, it is to take the existing largesse that is provided by government allocations and voted on in estimates and to make sure the money is spent wisely, keeping in mind the demands of the community as best the foundation members are able to determine.

Mr Martin: You see your role, then, more as being a watchdog for the government on expenditure as opposed to actually moving the agenda forward where mental health is concerned.

Mr Atkey: I would think it would be both. I am not a watchdog for the government; I'm a watchdog for the taxpayer, since they're getting value. The government sets, of course, the legislative agenda. The agenda of the foundation relates more to research and the funding of training grants and the like, as I read it. There are probably a great many more applicants for many more dollars than are available. So one of the jobs of the foundation, assisted by staff, is to determine how best to make those allocations, keeping in mind the competing demands within the mental health sector for support.

Mr Martin: Do you have a concern, then, that we're actually maybe spending too much money on mental health?

Mr Atkey: Not at all. I have no view on that, because I have not enough experience to come to that judgment one way or another. My presence here and willingness to accept this appointment is an indication that I think the field of mental health generally deserves some attention and some time that I'm willing to volunteer if I can improve the situation.

Mr Martin: It would be my view that this isn't largesse at all; this is a very needed and important investment in human potential as we try to come to terms with and understand and help people who want to help themselves and become contributing and positive members of our society. Right?

Mr Atkey: Maybe we could have a neutral term. I think what we're talking about is money.

Mr Martin: Yes, investment.

I'm not sure if Mr Kormos has a question or not, but just one last line. There are lots of issues out there where the mentally ill and the criminal justice system is concerned, and community attitude. Do you have anything particular that you bring to the table where that's concerned?

Mr Atkey: I should disclose to you, Mr Martin, and it's not in my opening remarks, that my reputation and my role as a lawyer in the community is for the protection of individual rights and as a civil libertarian. I continue to be a member of the board of directors of the Canadian Civil Liberties Association, and I will use all the powers at my disposal to see that the rights of individuals are protected against the system, no matter what political party is in power or who is the particular decision-maker. My reputation is along that line. To the extent that those are issues in the mental health field, I will continue to remain true to my principles.

Mr Martin: In that light, some of the incidents that we hear of from time to time where people with mental illness are misunderstood—we have a challenge of community attitude out there, and in fact folks either get hurt or in some instances shot or thrown in jail because they have a mental illness. Is there anything in particular that you think we should be researching, even falling back on some of your civil liberties experience, that we should be looking at as government to put in place to make sure that some of these folks don't fall through the cracks?

Mr Atkey: Again, it's probably premature for me to be advancing prescriptions today, but whether there's a role for an ombudsman to protect the mentally ill or whether that's the role that you as members of the Legislature can perform with the assistance of information from the foundation and its staff are the sorts of things that I would like to look at. The ability to talk to the media in frank terms about mental illness is something that I think the foundation and its staff might do within the legislative limits that are imposed on it, and to the extent that my colleagues on the foundation would think I could play a role personally, I would be prepared to.

The Chair: Any further questions from the members of the New Democratic Party?

That concludes our questions, then. Thank you, Mr Atkey, for your appearance before the committee. You may step down.

Mr Wood: I might indicate, Mr Chair, that I am advised that Mr Braney has asked that his interview be put over to another meeting. I support that request and ask unanimous consent that the time for consideration of Mr Braney's appointment be extended by 30 days.

The Chair: That request has been asked. Any objection to it? Then we will accept that.

Mr Wood: Thank you.

1430

The Chair: That concludes the interview process. We now deal with the actual voting on the intended appointees.

Mr Wood: I move concurrence re Ms McPherson.

The Chair: We have concurrence moved by Mr Wood for Wendy McPherson as a member of the Niagara District Health Council. Any discussion?

Mr Martin: I'd just like to say that I think she'll be a very good appointment.

The Chair: That's nice to hear you say. You see, Mr Martin says lots of positive things in this committee. Thank you for your positive comment.

Mr Kormos, do you have a comment?

Mr Kormos: Just teasing.

The Chair: I see. If there are no further comments, all in favour? Opposed? The motion is carried.

Mr Wood: I move concurrence re Mr Atkey.

The Chair: Mr Wood has moved concurrence in the appointment of Ronald Atkey as a member of the Ontario Mental Health Foundation. Any discussion?

Mr Kormos: If I may, I was unfortunate enough to only come into the committee during the latter part of the interview, when Mr Martin was posing questions. I've read Mr Atkey's CV, and I'm confident—he's obviously incredibly well qualified. I have no hesitation. That's apparent. It's obvious. But he's also incredibly Tory. That's obvious too, and not that there's anything wrong with patronage. There's absolutely nothing wrong with patronage. Indeed Mr Atkey is a refreshing variation on the usual theme, because here is a competent patronage appointment, as compared with the plethora of incompetent patronage appointments that have been routed through this committee that I have sat in on.

I want to congratulate Mr Atkey on his inevitable appointment and the approval of the committee. I want to assure him that I have no qualms about the patronage inherent in this. Quite frankly, in terms of his work responsibilities and the other things he's involved in, this is going to come as a net cost to him. I'm sure of that. He's not doing it for the bucks or the power or the prestige.

I was pleased to see he's on the board of directors of the Canadian Civil Liberties Association. He and I have perhaps more in common than I first anticipated. But it's also refreshing to see this rare instance of a competent Tory being appointed to a position of responsibility, as compared—let's face it, some of them you've heard barking all the way down the hall as they're led into this committee room to be subjected to interrogation by the committee.

Mr Atkey is competent. I'm pleased that my colleague has endorsed and made unanimous his appointment, and I wish that Mr Atkey would be held out as an example that perhaps we could see more competent Tories. If there is going to be patronage, let's appoint competent people. Perhaps the Conservative members of this committee would keep that in mind. They should use Mr Atkey as the standard, because if he had been used as a standard in the past there would have been precious few of those Tory nominees successful in the committee.

The Chair: I don't know whether you've helped his cause or not. Thank you very much for your ecumenical comments this afternoon. The committee is overwhelmed, I'm sure, by these kind remarks about Mr Atkey.

Any further discussion of the appointment of Mr Atkey?

Mrs Dombrowsky: As a point of clarification, Mr Kormos did make reference to a unanimous appointment, and I would suggest the vote hasn't been taken yet.

The Chair: Well, we'll watch and see.

Mr Kormos: Maybe I have provoked some dissent.

The Chair: Thank you very much for all the debate and discussion. I'll now call the vote. All in favour? It is indeed unanimous. The motion is carried.

Thank you very much, members of the committee. I'll indicate that if further order-in-council appointments are coming from cabinet we will be notified of them, and we will try to establish a meeting date that is acceptable to all members. Mr Wood has indicated one person who will be held over for at least 30 days.

I might say I've appreciated the co-operation of members of the committee. It's difficult at this time of year, with various committees going on and constituency business and so on, and members of the committee have been kind enough to extend deadlines when they have required extensions and to make themselves available for committee as they're able to do so. So I want to thank you very much.

Any further business or comments for the committee? I'll accept a motion for adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved a motion of adjournment. All in favour? Opposed? The motion is carried. Thank you.

The committee adjourned at 1436.

CONTENTS

Wednesday 23 January 2002

Intended appointments	A-303
Mr Allan Mugford.....	A-303
Mr Allan Leach.....	A-306
Mr Ravi Shukla	A-309
Mr Hugh Nicholson	A-314
Ms Wendy McPherson	A-320
Mr Ronald Atkey	A-324

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Steve Gilchrist (Scarborough East/ -Est PC)

Mr Wayne Wettlaufer (Kitchener Centre / -Centre PC)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / -Centre ND)

Mr Gerry Phillips (Scarborough-Agincourt L)

Clerk pro tem / Greffier par intérim

Mr Douglas Arnott

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services



ISSN 1180-4335

**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 20 February 2002

**Journal
des débats
(Hansard)**

Mercredi 20 février 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 20 February 2002

Mercredi 20 février 2002

The committee met at 1042 in room 228.

SUBCOMMITTEE REPORTS

The Vice-Chair (Mr Michael Gravelle): Good morning. I'd like to declare the standing committee on government agencies open for Wednesday, February 20. Welcome, everyone.

We begin with the report of the subcommittee on committee business dated Thursday, January 31, 2002.

Mr Bob Wood (London West): I move its adoption.

The Vice-Chair: Mr Wood moves adoption of the subcommittee report. Any discussion?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I don't know if this is the place to ask the question. I did want to know if you discussed the CCAC appointments.

The Vice-Chair: There will be a clarification coming later to address that.

Mrs Dombrowsky: OK. That's good.

The Vice-Chair: In terms of this, all those in favour of the committee report? Opposed? I guess that's approved.

Next, the report of the subcommittee on committee business dated Thursday, February 14, 2002.

Mr Wood: I move its adoption.

The Vice-Chair: Mr Wood moves adoption. Any discussion? All those in favour? Carried. Thank you very much.

INTENDED APPOINTMENTS

TERENCE CANT

Review of intended appointment, selected by official opposition party: Terence Cant, intended appointee as member, North Bay Police Services Board.

The Vice-Chair: We now move to the review of appointments section of our deliberations. Our first selection is Mr Terence Cant, intended appointee as member of the North Bay Police Services Board. Mr Cant, if you could come forward and sit where you're comfortable. Perhaps right in front of one of the microphones would be better.

Welcome to the government agencies committee. You have an opportunity to make an opening statement if you wish, and then we will be rotating among the parties for questions.

Mr Terence Cant: Thank you very much, Mr Chair and members of the standing committee. I'd like to thank you first of all for the opportunity to appear before you this morning and to speak with you. Hopefully the answers I give to questions you may have will assist you in determining whether I'd be an appropriate person to appoint to the North Bay Police Services Board.

I was born in Noranda, Quebec, completed my elementary and secondary school education there and, following graduation, I attended Michigan College of Mining and Technology in Houghton, Michigan, where I was taking mining engineering. When I left Michigan Tech, I went back to the Rouyn-Noranda area in Quebec and spent a year and a half working for two mining companies there.

I next attended North Bay Teachers' College. Following graduation, I spent the next 34 years in teaching and educational administration, working for different boards in the province. I worked in Mattawa, North Bay and Sturgeon Falls, and in Red Lake in northwestern Ontario. In addition to my teaching and administrative duties over those years, I also served as district president of the OSSTF. I served on the provincial scene as a provincial councillor and also served as a salary negotiator and principals' association representative.

My volunteer involvement in the community over the years has been extensive. I've served on the community care access centre in the North Bay area. I have been a regular volunteer on the North Bay Heritage Festival committee. I presently serve as an elder at Calvin Presbyterian Church in North Bay. I've been involved in fundraising and canvassing for the cancer society. I have been the educational consultant for the North Bay Centennials Junior A Hockey Club for the last seven years, since I retired from education. I've also coached football and midget hockey at different times.

As an educator and as a school administrator, as well as through my community involvement, I had a number of occasions to work closely with members of the Ontario Provincial Police and local municipal police forces. Those interactions revolved around matters we sometimes have to involve the police in on the educational scene: drug abuse situations, theft, student suicides, weapons situations, child neglect, child abuse situations and alleged improprieties involving staff and students.

I think I've learned a great deal from those opportunities and from the situations I've been involved with,

and that I have an understanding of what's required of a board member. I feel that I also appreciate the many challenges that citizens, police officers and police services board members are faced with as they work to ensure that communities are good, safe environments for all their citizens.

As a new member, I know I'm going to have to spend a lot of time learning what the duties and responsibilities of a police services board member are. I'm prepared to make the necessary commitment. I have the time to do so, and I'm looking forward to the challenge if I'm selected as the appointee. Thank you.

The Chair (Mr James J. Bradley): Thank you very much, sir. We begin our questioning with the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Cant. I appreciated your brief summary of your distinguished career and your involvement in your community and your region, but I did want to ask you directly, did you seek out this appointment with the police services board?

Mr Cant: I did consider it and was seriously interested in it at the time I was looking at retirement. It was one of those things—I had a lot of things after I retired; I was quite busy. I think what happened after that was, I had discussions with different people at different times over the last seven years. A number of people from different political parties—I have friends in different political parties—suggested to me, “Have you ever considered the possibility of looking at serving on the police services board?”

Mr Gravelle: Whom did you speak to most recently? In terms of the appointment, did you get a call from—obviously you're from North Bay, and I wonder whether the Premier's office contacted you directly.

Mr Cant: I didn't get a call directly; it was in conversations I had with people. I realized there was going to be a vacancy on the board. I had pretty well thought I was going to see if there was anything available. Initially I had indicated an interest, and then I learned that the chair of the board was going to be leaving. I spoke a bit with him about it and took it from there.

1050

Mr Gravelle: You indicate in your resumé, which has been given to us, that you've been very involved at both the federal and provincial levels in a number of election campaigns. You don't indicate which party, so we're curious about that.

Mr Cant: I've been involved with the Conservative Party in those elections. I have to tell you that a number of years ago I was also involved in an election campaign with the Liberal Party.

Mr Gravelle: Clearly you've done some research and some work in terms of preparing yourself for this possible appointment. Let me just ask you, if I may, what you consider the key goals and objectives in terms of police services in North Bay. I noticed, in terms of some of the material we've also received, that it's clear that the actual police force numbers proportionally, in terms of

the population, are lower than many other communities. Is that a concern in North Bay?

Mr Cant: I think it's a concern. I think there are a lot of concerns in North Bay. I believe that one of the biggest challenges the police services board and the chief are going to face is getting an adequate budget to be able to continue to provide the services they have been providing.

You might be aware that there have been some very serious financial challenges for the city. The rail lands relocation issue and getting the funding for that is a significant challenge for the city at this time, because there are some serious anticipated costs for cleanup of the rail land properties. That is going to put a drain on the city's finances. I think the loss of the Centennials, which has now become official—at the end of this year the Centennials leave and move elsewhere. We have an arena in that community that is still going to have to be maintained and money found for that. There's going to be that kind of demand for things.

From a police services board point of view and from the policing operations themselves, with the new technologies that are coming in, I think there's going to be a significant demand for money. It's going to be a tough balancing act.

Mr Gravelle: I know Mrs Dombrowsky wants to ask a question or two, but I just want to ask you one, if I may. I notice with interest your involvement with the community care access centres as well, although that's not specifically related to your appointment. Certainly one of the concerns we've had over the past six or eight months has been the fact that there's been a cutback in the support. I can tell you, being from Thunder Bay, the enormous impact this has had on people who have been seeking care and who have had care cut back. Is the same situation taking place in North Bay? Were you trying very hard to get the government to fund more support?

Mr Cant: When I was involved, we worked very hard to stay within budget. There were difficult decisions. A strictly personal opinion, based on my involvement with the CCAC, is the fact that whenever you get into anything new, like the community care access centres, there are some real surprises and some real challenges.

I really believe there was insufficient advance preparation for the impact of long-term-care needs by previous governments. I don't think there was adequate preparation and realization that we were dealing with a very much older and aging population that was going to demand a tremendous amount of health services. I think the community care access centres and the approach they took with delivering more services to people in their homes in the community was the right one, but I think we've got tremendous challenges ahead of us yet.

Mrs Dombrowsky: I have a couple of questions. First of all, I think you received the same background that we have as members of the committee. You are therefore aware that, under the act, one of your responsibilities is to provide assistance to victims of crime and that in accordance with the following principles the importance

of respect for victims of crime and understanding their needs also is part of your responsibility as a member of a police services board. Would you have any priority with respect to that particular part of your responsibility as a member of the police commission?

Mr Cant: Would I have any priorities for—

Mrs Dombrowsky: Yes.

Mr Cant: Quite honestly, there is an expectation that under the new adequacy legislation that you've taken—people expect the same kind of things when they're dealing with the police in any area of the province. I think a considerable amount of time has been devoted to developing the appropriate policies to make that a reality across the province. I think it has necessitated a lot of re-education and familiarizing members of the police force with what exactly is required.

Mrs Dombrowsky: I don't think I've been very clear in what I'm hoping you might be able to share with me. Given the fact, for example, that in North Bay there has been a significant increase in the incidence of family violence, would it be a priority for you as a member of the board to make sure there are appropriate supports, if not already in place certainly implemented, to assist those victims who probably for the most part are women and children?

Mr Cant: There is a very strong women's transition centre operating in North Bay. They are getting a significant amount of funding for that. I know that through our church we do support that, and I support it personally. There is that sort of thing. There is a centre for people and children who run into difficulties. There is the crisis centre. It's a very active operation. There are other facilities that are there. Yes, it is a concern for me and it is a priority for me.

Mrs Dombrowsky: I'm glad to hear that. That's very good. Thank you.

Also in the background we were given the numbers: of the total of 140 staff in North Bay, 90 were sworn officers. I just did the math. About 64% of the staff of the police service in North Bay are sworn officers. Given the fact that it has one of the lowest ratios per population, is that acceptable to you? Do you think that's an appropriate figure, that 64% of the total staff of the police force would be sworn officers, and that would leave 36% administration and support? I think of a school board; that's my experience. I know what the government expects in terms of ratios for school boards and what's an acceptable amount spent on administration. I have to tell you that this wouldn't cut it.

Mr Cant: Are you assuming that the smaller percentage is the number of people who are involved in administration?

Mrs Dombrowsky: There's another police services board—

Mr Cant: I don't have those figures in front of me.

Mrs Dombrowsky: Oh, I'm sorry. It was in the background. I just did the math. It says that of the 140, 90 are sworn officers. When I look at another police services board we're doing an appointment for later on, 75% of

the total staff are sworn officers. Is that an issue for you? As a member of the board, would you look to increase the number of sworn officers or certainly the number of officers per population?

Mr Cant: I would think, based on a study done by Dr Greg Brown through Nipissing—it was a study where they actually were in there and sat with police officers and observed them. They were very detailed in the study. I don't know whether it's been published or released. But there is a concern that there is very little available time-wise in any police officer's day. It is a concern, and I think it's a situation that as a member of the board, hopefully in discussions with the chief—and I think he would have the same feeling—it would be nice if they could increase those numbers. But I'm not sure it's going to happen because of the economics of the area.

The Chair: Mr Martin.

Mr Tony Martin (Sault Ste Marie): I was wondering, were you involved in the Premier's last election campaign?

Mr Cant: I was involved, yes.

Mr Martin: Are you on his riding association executive?

Mr Cant: No, I am not.

Mr Martin: Did you go to teacher's college with him?

Mr Cant: No, I didn't.

Mr Martin: Did you teach at the same time he was teaching?

Mr Cant: He was a teacher, but I was not teaching in North Bay at that time.

Mr Martin: Did you have any involvement at all with the Osprey Links development?

1100

Mr Cant: No, none at all. I am not a golfer, either. I'm not in any way connected with it or involved with it.

Mr Martin: The police services board in North Bay, as you have indicated, has some particularly challenging financial concerns in front of it. I note here, by way of the background information that Ms Dombrowsky referred to, that the city council hasn't passed the police budget because what they're asking for is more than they got last year, and that's, according to this, a reduction of 7.8% of the actual budget that they spent. You've indicated the difficulties that community is having, and is going to have now with the Centennials not being around and the cost to maintain that arena.

Do you have any suggestions as to things that they might do in order to deal with this budgetary crunch?

Mr Cant: I would think they would have to take a very close look at what kind of services they are actually delivering. I think that study has been done. I think there has to be a close look at some of the things. I'll give you an example: Crime Stoppers. The one thing that struck me about the Crime Stoppers program—and the North Bay police force provides an officer for that; the Ontario Provincial Police provide an officer for that. I could estimate probably \$75,000 to \$80,000 for each of those individuals, so there's \$160,000. Then when I turn

around and look at it and the fact that their stolen goods recovery a year ago with those kinds of costs was \$80,000, I would think that's something you might have to look at from a budgetary standpoint.

I would think they should probably look at video remand. I know they've got the equipment there for video remand, but I think that would provide some efficiencies. For example, in transporting young offenders to Cecil Facer, bringing them back for trial and then back to Cecil Facer, that requires police officer time. We have the technologies that would enable us to do it but it's not up and running yet. The equipment is there. My understanding, based on what I've read, is that the police force is ready to move with that but I think there is a bit of a delay in providing the necessary judges and that sort of thing. Those are things where I think there are savings possible.

Mr Martin: You've obviously given it some significant thought. The reality is, according to this note, they have found a way to reduce their budget from last year by 7.8%, which is probably fairly significant, and yet they're still projecting a shortfall of \$0.2 million from the approved budget of last year. That's pretty significant money.

If, at the end of the day, it turns out that they just cannot find the savings and they have to run a deficit again, what would you do then?

Mr Cant: My understanding is that they have turned around and requested an increase in their budget, based on what I've read in the papers. They're looking for an increase in their budget for this year. Now, your information is saying one thing, mine is saying another. My understanding is that they have been talking to council. There were council meetings all last week looking at budgets. I think it has probably been sent back by city council to the board to look and see if in fact they could trim anywhere. There is nothing that I'm aware of—because I haven't been involved directly with the board so I don't know whether anything is happening in that regard, but my understanding was they were looking for additional money to turn around and provide the necessary services.

Mr Martin: Just to explain, the police services board did in fact approve an increase from last year, but that increase is still a 7.8% reduction from their own budget from the previous year. It's a problem, obviously.

What are some of the other issues that you think are important? You mentioned some to Ms Dombrowsky but, going in, obviously you're concerned about the financial state and doing something to deal with that and take care of that. Are there any other issues that jump out at you and—

Mr Cant: That jump out at me?

Mr Martin: Yes.

Mr Cant: I think there's a bit of a challenge. When you look at the fact that provincial police constables in the area are being paid significantly more than the members of the North Bay police force for the same duties, that's a concern.

Another concern that I believe exists is the time that it takes with a lot of new police coming in. In other words, cadets; they're brand new into it. There is the need for training at Aylmer and that sort of thing. It's very difficult to get very many people from a particular police force into Aylmer to get that necessary training because there is such a demand from other police forces for the same kind of opportunities. I think it's time that the north looked at being able to provide some of those services for cadets. I look at Sault Ste Marie as an example. I know there has been some discussion between the police force in the Soo and Algoma College—

Mr Martin: Sault College.

Mr Cant: Sault College, sorry, to do something like that. I think with Canadore or Nipissing with the police foundations program and that sort of thing there is an opportunity to do some of that training in the community; you know, setting up the programs and doing it. Those are some of the things that I would be looking at.

Mr Martin: So in terms of the first issue that you raised where the North Bay police officers are making less than the OPP, are you suggesting that that be raised?

Mr Cant: I think if you're going to turn around and reduce the possibility that officers are going to leave their jobs on the North Bay police force to go to the Ontario Provincial Police force, money is a consideration for people who make those kinds of moves. It is a concern, but I'm not sure that it's something that is going to be easily addressed.

Mr Martin: It's not going to be easily addressed if, as we've discussed a few minutes ago, the financial situation is as it is. You're obviously looking for ways to reduce that, and on the other hand, if you're going to move on that front it means that anyone could—and it seems to me, as I read this, that the city of North Bay is actually carrying the can on the cost of policing for its community almost totally except for a few specific and special programs, initiatives of the provincial government. If at the end of the day it turns out that North Bay just can't afford the policing service, would you be willing to go to your friends in government at the provincial level to see if there wasn't some way to get some money?

Mr Cant: As a board member I might think that's an appropriate approach, but I think the important thing is that it has to be something the board decides on as well. There should be strong representation to the city first with regard to funding. That would be my feeling. Very often cities will turn around and make some of the financial decisions. They have to look at what's important in a city. Certainly safe communities are important and I think there is money that can be taken and additional money that can be provided.

The Chair: Thank you, Mr Martin. Unfortunately for you, your time has expired. I wanted to welcome to our committee today students from Matthews Hall who are here to observe the government agencies committee. I should tell the students that at this time we are reviewing intended appointments by the government of Ontario and

each of the political parties has an opportunity to ask the person who is going to be appointed or is an intended appointee some questions. So that's what you're observing now in the government agencies committee. Welcome to the committee.

Having said that, I'll move to the government side, where Mr Johnson would like to begin questioning.

1110

Mr Bert Johnson (Perth-Middlesex): They'll also note that the Chairman's time is probably taken off mine.

I had two issues that I wanted to explore, and one was, you went to North Bay Teachers' College. I didn't get the year, but I assume that was about 1955 or 1960.

Mr Cant: No, 1960.

Mr Johnson: Did they still pay teachers to go to North Bay Teachers' College at that time?

Mr Cant: No—at least I didn't. I've never heard that they did. The one thing they did provide was that you could turn around and ride the Northlander north; you could get 19 tickets for \$20 and you could go home on the weekends if you wanted to, if you lived in Timmins or Kirkland Lake or one of the other communities.

Mr Johnson: That was a good deal.

Mr Cant: It certainly was.

Mr Johnson: The reason I'm asking is that my mother went there in about 1920, in that era. They used to pay \$1 a day if you went to North Bay Teachers' College, and in return you had to promise to teach in the north, I believe, for at least 2 years. The only reason I know that is because I asked her why she went north from the Collingwood area to teachers' college. So I wanted to explore that a little bit.

I also wanted to know about when you were in Red Lake. Were you in elementary or secondary?

Mr Cant: I was on secondment from the North Bay board of education to the Red Lake board because they were having difficulty getting a principal.

Mr Johnson: Was that in the 1980s?

Mr Cant: Yes.

Mr Johnson: There were severe difficulties in Red Lake at that time.

Mr Cant: Yes, there were.

Mr Johnson: Thanks very much. I just wanted to thank you for being here today to answer our questions and show your interest in serving in this position.

The other area I wanted to explore, and I guess it's to the researcher: I've never heard the term "sworn officer" before, so I assume there are sworn officers and unsworn officers. It seems to me that it's logical that you either are or you're not.

The term I've always heard in connection with police services was "uniformed." Can I assume that a sworn officer is the same that I used to think of as a uniformed officer?

Mr David Pond: Yes.

Mr Johnson: OK, because that gets back to Member Dombrowsky's question on whether or not, because it's different in North Bay than in Belleville or something, that is good, bad or indifferent. I wanted to clear that

point up. Thanks very much, Mr Cant, for being here today.

Mr Cant: Thank you for my time here.

The Chair: Any other questions?

Mr Frank Mazzilli (London-Fanshawe): I just have a couple questions. Thank you for standing for this position. How large a police service is North Bay?

Mr Cant: They have about 90 uniformed officers and they have secretarial support staff.

Mr Mazzilli: The civilian staff for support.

Mr Cant: Yes, civilian staff.

Mr Mazzilli: Do you see some of the standards as being a problem for a city the size of North Bay, some of the new standards that have to be met, the regulations and so on?

Mr Cant: The regulations and that sort of thing. I don't think they're a problem, but as I think I mentioned earlier, it takes time to get everybody up to speed and it is challenging.

Mr Mazzilli: It certainly is. The larger departments are finding challenges, and the smaller ones even more so because of the training requirements. That probably will be an enormous challenge for a smaller department, not as large as North Bay. North Bay is probably of the size that can handle those standards quite well, and I wish you luck with it.

The Chair: Further questions?

Mr Wood: We'll waive the balance of our time.

The Chair: A point of clarification, Ms Dombrowsky.

Mrs Dombrowsky: Mr Johnson did bring it up. I would like some clarification on the term "sworn officer." I have some question around whether a sworn officer equals a uniformed officer. I would suggest that an undercover officer would also be a sworn officer and not a uniformed officer, so the total complement of officers in a detachment would be the sworn officers.

Mr Johnson: Can you tell me, then, is a turnkey officer sworn or unsworn? Most of the time they're not uniformed.

The Chair: Does Mr Mazzilli have something to add to this?

Mr Mazzilli: A sworn officer would be anyone who's covered under the Police Services Act. Civilian staff would not be sworn officers. They are covered under some of the regulations, but anyone who has the power to execute the duties of a police officer under the act is a sworn officer.

Mrs Dombrowsky: May not be uniformed, but is sworn. Thank you.

Mr Mazzilli: May not be uniformed.

The Chair: Well, we've had a good educational exercise amongst members of the committee. Mr Mazzilli, we thank you for your kind contribution as well and for clarification on these matters. I don't know where you get that information, but thank you very much for that.

Thank you very much, sir, for being with us. You may step down.

CHRISTOPHER BRANEY

Review of intended appointment, selected by official opposition party: Christopher Braney, intended appointee as member and vice-chair, Environmental Review Tribunal.

The Chair: The next intended appointee is Christopher Braney, who is an intended appointee as member and vice-chair of the Environmental Review Tribunal.

I will be vacating the Chair now and putting on a different hat, that of the person who would ask some questions. In doing so I turn it over to Mr Gravelle.

The Vice-Chair: Thank you, Mr Chair. We will carry on by calling forward Mr Christopher Braney. Welcome. Mr Braney is of course intended appointee as member and vice-chair of the Environmental Review Tribunal. Mr Braney, certainly feel free to make an opening statement, and we will then begin our questioning with the third party.

Mr Christopher Braney: Thank you, Mr Chairman and members of the committee, for inviting me here today. I'm honoured and privileged to be considered for the Environmental Review Tribunal. I'm pleased to have an opportunity to tell you why I think I can make an important contribution to this position.

I was raised in Toronto in a neighbourhood called Highland Creek, which lies in between the Rouge and Highland Creek valley. For the last three years I've resided with my family in Pickering, on the east bank of the Rouge River. In the last decade I've had very interesting and varied experiences, not only in my professional life but also in terms of community involvement. One of my proudest accomplishments was being elected to the Scarborough Board of Education in 1994 and one week later being nominated as vice-chairman by my new colleagues. This was a position I held unanimously for the next three years, until my term ended in 1997.

It was at the board of education that I began conducting hearings involving the board's zero tolerance policy toward weapons and violence. This was a policy that I had a very active role in implementing and supporting and it is also a policy that the government has since recognized and implemented across the province. In my role as vice-chairman it was my responsibility to conduct all private session meetings and hearings when it related to the conduct and discipline of board employees and contract negotiations.

At the same time, I developed a successful business selling and marketing health and safety products, which made it necessary to have a working knowledge of a wide variety of environmental cleanup issues, particularly in the area of the safe use of chemicals, storage and disposal. This experience was extremely valuable and useful when I was appointed to my current position as an adjudicator with the Ontario Rental Housing Tribunal.

During my career with the Ontario Rental Housing Tribunal, I believe I've made many valuable and successful contributions, not only to the tribunal but to the public

we serve. In a very short period of time I have been told that I was one of the tribunal's most balanced adjudicators when it came to fair and accurate decision-making and the reliable work ethic that I have brought to this position. Over a two-and-a-half-year period I've received many letters from my chairman congratulating me for doing an outstanding job with the tribunal and for my role with committee work and effective teambuilding, in order to make the tribunal one of the most respected in the province. I have also been told that I have one of the highest success rates when it comes to my abilities in orchestrating consent orders and settlements. This has enabled many parties on both sides who have appeared before me to leave knowing that their matter has been settled and that they have both had an opportunity to receive the outcomes that they have relied on the tribunal to resolve.

With regard to the community, it has always been an area I have participated in actively. In my early twenties, I was actively involved in a community response to an environmental hazard regarding an asbestos cleanup that was to take place within the community. Because of my passion and knowledge with respect to this issue, I was elected vice-resident of my community association. The hazard in question was the abandoned Johns-Manville plant that used asbestos for making transite water pipes and other asbestos products. Because of the large area the plant occupied backing on to Lake Ontario, a developer purchased the land in order to build a residential development. For those of you who are not familiar with Johns-Manville, it became one of the largest occupational health and environmental safety disasters in North American history, quite simply because the effects of asbestos were not known at the time the plant began production soon after the war.

1120

From the 1940s to the end of its existence in the late 1980s, a total of 93 workers died due to exposure to asbestos. The problem we had facing the community was the waste and the asbestos used in the manufacturing process buried throughout the property. Furthermore, it was revealed that the plant itself was made of asbestos product. If anyone is familiar with the procedures in conducting a site 3 asbestos cleanup, you soon realize that the cleanup is a delicate and extensive process.

Questions and concerns soon arose regarding a safe cleanup, and we realized that the community should be informed to the dangers if it was not done properly. Furthermore, I felt that we had an obligation to inform prospective new members of the community who would be purchasing homes on this property. I'm pleased to say that through hard work and dedication with a number of individuals in the community, we succeeded in our efforts by negotiating with the developers, city and other stakeholders to ensure that the plant removal and the cleanup of the property was safely conducted. A victory was also accomplished with the developers disclosing to new purchasers on the purchase agreement the history of the property. At the end of the day many victories were

won by the community, simply through well-planned negotiations with all the stakeholders.

The plant has now been safely taken down and surrounded by a nice community that has peace of mind because of the efforts of our community association. I would also note that the community was also successful in reducing the number of houses built on the site, from 3,200 to 1,600, as well as dramatically increasing the amount of parkland on site.

Through my work with the Johns-Manville development, I soon became involved with projects dealing with the Rouge River and Highland Creek regarding the creation and enforcement of ravine bylaws to prevent erosion and pollution in the rivers and creeks. I was also involved with a project at the mouth of the Rouge River, restoring natural plant, fish and wildlife habitat, along with our community section of the waterfront trail. I'm very proud of the environmental campaigns that I've participated in within my community, because many of these places were my playground growing up. It is my hope that my two daughters, Madeline and Erin, have the same access to the same advantages that I had.

Recently I attended a dinner celebrating the province's projection of the Oak Ridges moraine, where Robert Kennedy Jr was keynote environmental speaker. I was pleased with the government's protection of the moraine, because of the positive impact that it will have on the future of this province. It is my belief that the protection and legislation regarding the moraine is probably one of the toughest with regards to the restrictions imposed. I hope that as a member of the Environmental Review Tribunal I will be in a position, in some small way, to see similar environmental protection applied elsewhere in Ontario.

Other community organizations which I'm involved with include currently serving on a volunteer board of directors as president of West Hill Community Services, which is a multi-service agency providing services in the areas of health and social services. Programs include primary health care, community support, social support for seniors and an adult-child resource centre. I was also a director and organizer for the Variety Club telethon, raising much-needed funds for Variety Village and the children who use their facilities.

I believe that my experience as an adjudicator with the Ontario Rental Housing Tribunal, along with my experience dealing with environmental issues at the local level, will enable me to deal with the exciting and important challenges brought before me at the Environmental Review Tribunal. I believe that I will bring this tribunal a wealth of knowledge, primarily with my understanding of the delicacy of environmental issues, and my experience with understanding and balancing both sides of these issues. I also believe that one of my strongest attributes is good, consistent decision-making and the abilities to enable people to work together as a team in order to achieve the goals necessary to succeed. Furthermore, I look forward to the challenges and responsibilities of this position because of my passion and love

for this province, and because I want my two young daughters to experience the environmental pleasures this province has offered me.

This position will also enable me to have an impact on environmental concerns and issues throughout the province and not just locally.

Once again, thank you very much for this opportunity.

The Vice-Chair: Thank you very much, Mr Braney. We begin with the third party.

Mr Martin: You were a trustee with the Scarborough Board of Education from 1994 to 1997.

Mr Braney: Correct.

Mr Martin: What happened in 1997?

Mr Braney: I couldn't run again. I wanted to run another term but the province brought out the legislation. My wife's a schoolteacher in York region. Even though I didn't have a conflict within the Scarborough Board of Education voting on her salary, it was province-wide. She could have been a teacher in Thunder Bay and I still would have had a conflict, so I wasn't able to run again for a second term.

Mr Martin: And then you were director of marketing at Denton Technologies from 1998 to 1999?

Mr Braney: Correct.

Mr Martin: Why did you leave that position?

Mr Braney: I was offered the position with the Ontario Rental Housing Tribunal. I certainly missed the hearings that I conducted with the Scarborough Board of Education. When I was approached with the opportunity at the Ontario Rental Housing Tribunal, I went for the interview and was extremely interested. The fact that it was a new tribunal, and I was very impressed with what the chairman had to say about the goals of the tribunal and some of the things that we would be conducting within that, I felt I had an awful lot to offer to that and with the hearing experience I had at the Scarborough Board of Education, I took the opportunity to get back in and conduct hearings with the Ontario Rental Housing Tribunal.

Mr Martin: The appointment with the Ontario Rental Housing Tribunal, was that a paid position?

Mr Braney: Yes, it is. I'm currently there with the Ontario Rental Housing Tribunal.

Mr Martin: If you get the appointment today to the Environmental Review Tribunal, would you leave the rental housing tribunal and move over to this new position?

Mr Braney: Correct.

Mr Martin: The new tribunal is also a paid position?

Mr Braney: Correct.

Mr Martin: You referred to it in your opening comments as a career. Is serving on these kinds of government tribunals a career track that you're now on?

Mr Braney: I feel my career track for the most recent part of my history, probably within the last 10 years, has been conducting hearings. I was involved with a number of them at Scarborough Board of Education. I had a little hiatus with Denton Technologies for two years, but then I came back to the Ontario Rental Housing Tribunal and

certainly I'll be conducting hearings with the Environmental Review Tribunal. I would say it has been a career and a career that I've very much enjoyed within the last 10 years too.

Mr Martin: Why are you leaving the Ontario Rental Housing Tribunal?

Mr Braney: The opportunity that just came forward was—I just feel with the projects that I've dealt with in the past, I certainly have a strong interest in environmental issues throughout the province. I felt at the time that I had an awful lot that I could offer this tribunal. I've offered an awful lot to the tribunal that I'm currently on, but given the fact of my history and the projects I've dealt with environmentally, I feel that even though I did an excellent job with the tribunal that I'm on now, I have so much more to offer the one that I would be going to, the Environmental Review Tribunal.

Mr Martin: Are you a member of any political party?

Mr Braney: Yes, I am.

Mr Martin: Which party would that be?

Mr Braney: The PC Party of Ontario.

Mr Martin: Have you been active in any campaigns?

Mr Braney: In the past I have, yes.

Mr Martin: In 1999?

Mr Braney: In 1999 I was involved, yes.

Mr Martin: OK, those are all my questions.

The Vice-Chair: Thank you. We'll move to the government side. We have one minute left. Mr Gilchrist, I know you have a question.

Mr Steve Gilchrist (Scarborough East): Mr Martin has taken the McCarthy question, so I can't tweak Mr Bradley on that one, "Are you now or have you ever been a member of the Conservative Party?" so let me deal with something more substantive.

I think for the benefit of the members of the committee, it would be useful to expand on exactly what took place at the Manson site. In the early 1980s a federal royal commission deemed that to be a world-class disaster. I wonder if you could just elaborate a little bit on the role you played and the community association played in first researching and then dealing with the consequences of the abandonment of the site by not one, but I think it was three different owners over the years.

Mr Braney: I've raised portions of it to try and make it brief for my opening introduction, but going back, probably from the beginning, when I got involved with it, it was more or less a personal issue. My father's first cousin was a worker at the plant and he died of asbestosis. During high school I became aware of some of the things that were happening in the plant because directly across from the high school was where the plant sat.

I then became involved fairly early on working for a company called Safety Supply Canada and one of my positions there was the product manager of the industrial products group. Most of the product I was supplying and offering technical support to companies and government agencies and towns and cities was advice on how to conduct asbestos cleanups, also chemical spills, hazard-

ous cleanups throughout the province as far as offering technical support with the equipment they would need, how to go about that. Due to that experience and due to the passion I'd developed early on with environmental issues, I was approached by members of the community association who felt that I might be able to help out with their quest. It started out more or less informing them of some of the dangers of an asbestos cleanup, and certainly a site 3 asbestos cleanup is very extensive. One of things in one of the hearings we brought forward was that you have to wear full white tieback coveralls, boots, gloves, proper respiratory equipment, and every time a worker would leave the site he would have to don new equipment coming back to it.

1130

One of the things we then started discussing was that we have a plant here, we have a developer that's going to buy property around it, and we have a high school and an existing community. One of the problems we started to see very quickly was, how can you properly do a site 3 asbestos cleanup safely when you have a surrounding community that could perhaps become prone to asbestosis fragments throughout the atmosphere in the air? It's certainly a very difficult process and it's something that raised a great deal of concern with a lot of members of the community. As we started talking more about it, sure enough, our concerns were very valid, that in fact it is a very extensive process, and there was an awful lot of discussion and negotiation about how to actually go about developing that property.

One of the things I also came up with at the time was, we now have a new development that's going in around the community. There are new members of the community who are also going to be brought forward. One of the concerns I had was, there are going to be new members. I think these people should have a right to know, and also know that it's going to be dealt with safely, because the developer would not have any right to tell them what the property they would be buying used to be.

The problem with asbestosis, Mr Gilchrist, is the fact that it takes about 30 or 40 years before somebody would actually develop asbestosis. It's very delicate. And that's what happened in this case. At the time when the plant was manufacturing asbestos transite pipe and the other products they were developing, it took 30 or 40 years after the fact before the workers found out they had asbestosis.

One of the case studies that really intrigued me, talking to a number of workers who were still at the plant and still living, was the case of a lady who was in the plant. She worked one summer. She wasn't even exposed to the plant itself, the manufacturing part of it. She actually worked in the cafeteria for one summer and she developed asbestosis 35, 40 years down the road. That certainly scared a number of people in the community. So I was pretty well offering my advice on that.

It was an interesting project. It certainly became a very high-profile issue within Metro and I believe throughout

the province, just due to the victories of a small community association and a lot of people who really put their heads together to try and inform people. I think the one positive thing that I left the table with at the end of the day was that we didn't have a lot of money but we sat down with the developers, the city, other stakeholders, and we got this thing done through pretty well pure negotiations, without costing a lot of money. The plant has been torn down now and it was done very properly and we're very proud of that. I think—

The Vice-Chair: Mr Braney, I apologize for interrupting but we've gone well beyond the time. Thank you very much. It was very interesting. We move to the opposition.

Mrs Dombrowsky: I have three very quick questions before my colleague, Mr Bradley. Thank you for coming, Mr Braney. First of all, would you be able to tell us who you worked for in the 1999 campaign?

Mr Braney: There would have been two Scarborough MPPs that I worked for.

Mrs Dombrowsky: Their names, please?

Mr Braney: Mr Gilchrist and Ms Mushinski.

Mrs Dombrowsky: My second question is with regard to your background. You are intended to be appointed to the Environmental Review Tribunal. Typically it's a quasi-judicial role, so people who would be considered for this role would certainly have perhaps a background in environmental studies or in the law. I was wondering if you could share with us any of those experiences that you have.

Mr Braney: I can understand your question. I don't have a background in environmental science but I do have a technical knowledge of environmental cleanup issues.

Mrs Dombrowsky: Did you take any college courses in environmental studies?

Mr Braney: No, not at all. There were courses that I did take through my employer that were very extensive. We had to learn a number of issues, because they are very sensitive issues. You really have to know your stuff. And it's just not asbestos situations; there were chemical situations, situations where pesticides would be used.

Mrs Dombrowsky: Do you have a degree?

Mr Braney: No, not in environmental science.

Mrs Dombrowsky: A diploma?

Mr Braney: In marketing, at Centennial College, yes.

Mrs Dombrowsky: You have a diploma in marketing?

Mr Braney: Yes, in marketing.

Mrs Dombrowsky: If I might move on, I understand that you would have received the same background that we, the members of the committee, would have received about your intended appointment.

Mr Braney: Correct.

Mrs Dombrowsky: Information about the role you will have on the Environmental Review Tribunal. In this background material there is a section devoted to the statements of environmental values that ministries within the government have. What is your understanding of the

function of those statements or do you think they are just window dressing?

Mr Braney: It would be very difficult to comment just due to the fact that I haven't been at that ministry and it would be unfair and inappropriate, I think, to comment about anything that I really haven't had an opportunity to have a look at and develop my own interpretation of.

Mrs Dombrowsky: I have to say I'm significantly disappointed by that because the statement of environmental values within ministries that deal with the environment I think is very important. It was for that reason that I myself introduced legislation in my private member's bill that would require ministries to consider their statement of environmental values. It would actually make it part of the legislation.

Mr Braney: Right.

Mrs Dombrowsky: Right now, ministries that manage the environment have such statements and the statements direct the ministry whenever making decisions to take an ecosystem approach to every decision that is made. What people in Ontario are finding—and they're challenging in the courts—is that the ministries are not doing that. They are not following that statement. The response from the ministry, any ministry, has been, "Well, we don't have to because it's not the law."

Does that not strike you as strange? Is it not redundant? Is it not just window dressing if ministries have these statements and they say to the public, "This is what we believe and this is what we support," but when it comes right down to application, and the public challenges them on that, they say, "We really don't have to do that because it's not in law"? Do you have an opinion on that?

Mr Braney: I certainly understand your question a little bit better. Throughout my career I've believed in mission statements. I believe they should be a good guideline and should be followed. If there is a mission statement that has been established and is procedure right now, I certainly feel that mission statement should be followed.

Mrs Dombrowsky: Do you think they should be in the law?

Mr Braney: It would be difficult to say. As I say, I'm just speaking to you here. I'm not a politician, I'm not a legislator. As far as mission statements, I certainly feel that they should be followed if they are in fact part of the ministry, especially this tribunal.

Mr Bradley: My first question is again to clarify for me how it is you came to seek this position. Did someone suggest you seek it or did you look through a book and say, "I'd like to be in that position" and so you asked?

Mr Braney: No, I was approached, Mr Bradley.

Mr Bradley: Who approached you, specifically?

Mr Braney: Mr Gilchrist approached me. Minister Ecker is also very supportive of this appointment because she has also been familiar with some of the projects that I've dealt with in the past. Mr Gilchrist has an excellent knowledge of some of the things I've dealt with in the past, not only on this Manson Insulation project but also

with the projects I've been involved in with the Rouge River and surrounding areas.

Mr Bradley: The Environmental Assessment Act has been changed by this government. Both the Environmental Approvals Improvement Act, as it would deal with approvals, and the Environmental Assessment Act have been weakened by this government. What is your opinion of the weakening of those two pieces of legislation?

Mr Braney: It would be difficult for me to comment on that without being there, Mr Bradley, and absorbing maybe what the impacts would be, if there are any at all.

Mr Bradley: When you were on the Scarborough Board of Education, you seemed to be obsessed with the financial bottom line. It would be my contention, not shared, I'm sure, by my friends on the other side, that many of the problems that are arising in the Ministry of the Environment today and in the environmental field are as a result of a one third cut in the staff of the Ministry of the Environment and an approximately 50% cut in the budget. Speaking of the environment, do you believe the cuts that have been made to the Ministry of the Environment should be restored, that money should be restored and that staff should be restored?

1140

Mr Braney: As I've said, Mr Bradley—I sort of said this one other time—my position and key role with this tribunal would be to enforce government policy and legislation. As I say, I'm not a politician. I would certainly not make any comments regarding policy and legislation. My job would be to enforce, with the strictest environmental standards, government policy and legislation which has been put in my hands to enforce.

Mr Bradley: The only people who are politicians are not people who are elected to the Ontario Legislature. However, you have been a politician when you were elected to the board of education in Scarborough. When you participate in the campaign, you're in the political field, so this denial of being a politician, although some of us think it's a reasonably virtuous position, is interesting to note.

There is a new tactic that the government is using now: administrative penalties. It's a situation that allows those who are breaking the law to have a nice little quiet penalty applied to them by the Ministry of the Environment so they're not embarrassed when they go through the courts with the adverse publicity that takes place. What do you think of allowing people to dodge the court process and simply have administrative penalties applied to them by the Ontario government when they are in violation of Ontario laws?

Mr Braney: I certainly don't know enough information about that to make any comment on it. I would like to have a look at it myself and develop my own interpretation of it. People have different interpretations at times. As I said, in this position, it's just as with the business I'm in now currently with the Ontario Rental Housing Tribunal. My key issue would be to deal with

government policy and legislation and enforce it with the strictest of standards.

Mr Bradley: There are some detailed decisions that must be dealt with, some very complicated decisions, that would require either an adjudicative sense, a vast knowledge of the law or some considerable scientific knowledge to make those decisions. Since you do not have that field or the background of administrative law or environmental studies, do you not think that will not enable you to carry out your responsibilities as well as you might as a full-time vice-chair of this board?

Mr Braney: No, not at all. I believe that I do have a good background with environmental issues and certainly have seen both sides of those issues. Currently, with the business I'm in now, I didn't have any experience when I started that. One of the reasons that I became one of their top adjudicators, with my decision-making and some of the other things I mentioned in my opening statement, is because I'm a very quick study. I'm looking forward to the opportunity of actually getting into this tribunal. In a very short period of time, I'm hoping to be one of their better members, right off the start.

Mr Bradley: I have a concern that the government is appointing to environmental tribunals people who are either on what I would say is the development side or people who do not have a specific background in this particular field. We had another person appointed to an environmental tribunal the other day who I had heard was leaving another tribunal for a mysterious reason, but that's another matter.

What I'm concerned about now is that where we used to have the Environmental Assessment Board or an Environmental Appeal Board staffed with appointees who were knowledgeable in the field of the environment and who had a background in the field of the environment—they might have been from the Canadian Environmental Law Association or they may have been environmental lawyers or something of that nature—today we're moving to people who do not have a background in that field, and it worries me considerably that the decisions will reflect that. You have no fear about that?

Mr Braney: To answer the first part of your question, one thing I pride myself on is fairness. Certainly I don't take any one side of any issue. I give people an opportunity to present their cases.

As far as the other part of your question, I would just say that I certainly feel that I'm extremely qualified to be in this position just due to the past experience I have had with environmental issues. As you're probably aware too, Mr Bradley, there are not too many people who have environmental experience like the experience I've had. It's an area where they are few and far between.

Mr Bradley: I still have one minute. Another question. What other question can I put, then?

You are a person who is going to be dealing with the Niagara Escarpment Commission and appeals from the Niagara Escarpment Commission adjudicative process. There are many people in the Conservative caucus who

are not very happy with the Niagara Escarpment Commission and its powers.

Interjection: Name names.

Mr Bradley: I won't name names. My friend Bill Murdoch comes to mind—he'll want to use that in Hansard—and some others. Do you believe that there should be development taking place on the Niagara Escarpment?

Mr Braney: It would be very unfair to comment at this time without being a part of that ministry and reading a lot of the documentation that you're talking about and developing my own knowledge and understanding of it. It would be unfair for me to comment and give any personal view on that at this point in time.

The Vice-Chair: Thank you, Mr Braney. We will be voting on your appointment at the end of this morning's session.

Mr Bradley will now be returning to the chair.

EDWARD RUTTER

Review of intended appointment, selected by official opposition party: Edward Rutter, intended appointee as member, Belleville Police Services Board.

The Chair: Are there any other comments? I will call, then, the next individual, who is to be an intended appointee as a member of the Belleville Police Services Board, Edward Ted S. Rutter.

Mr Rutter, please come forward. As you are aware, you have an opportunity to make an initial statement and then the questioning takes place from the three parties. Welcome, sir, to the committee.

Mr Edward Rutter: Good morning, Mr Chair, and ladies and gentlemen. My initial statement will be very brief because I'm looking forward to the question period after hearing the other two.

My resumé points out that I have had the privilege to be a member of many boards and commissions. I have gained experience at many levels: locally, at the school board level; at the county and hospital levels; at the provincial level, at the Ontario Hospital Association; and federally I chaired the unemployment insurance board of referees for Belleville district for six years.

However, I've never had the privilege of sitting on a police services board or a commission. This must raise the question with you here this morning of "Why now?" I became aware of the vacancy on the board by the advertisement placed in the Belleville Intelligencer by the office of the Ministry of the Solicitor General. After discussing it with Mrs Rutter and discreet inquiry with some of my friends, I was encouraged to make application to be considered for the appointment, and thus my presence here this morning.

I'm not an expert re the Police Services Act as written, but I'm mindful of it. I'm approachable. I'm a good listener. I'm a compassionate person, but I can be firm when the need arises.

These skills and talents, combined with the training provided by the ministry, would encourage me to carry

out my duties and responsibilities in a manner that would inspire public confidence and pride not only in the police board but also in the police department in the city of Belleville. I believe I am worthy of your consideration to this appointment. Thank you very kindly.

The Chair: Thank you very much, sir. We begin our questioning with the government party.

Mr Wood: We'll waive our time.

The Chair: The government is going to waive its time for questions, so we go to the opposition party.

1150

Mrs Dombrowsky: Good morning, Mr Rutter, it's very nice to see you today. You've had the opportunity to review the material that we have as background about the role for which you are intended to be appointed. You will know, then, from your reading of that, that one of the responsibilities of members of police services boards is to determine policing priorities within your community. I was wondering if you had any thoughts on what you think would be appropriate priorities within the community of Belleville.

Mr Rutter: There are several things that have popped up under the jurisdiction of the police board in the city of Belleville. Without hiding behind doors, yes, we have a drug problem. Yes, we have an alcohol problem. Yes, we have a break-and-enter problem. Yes, we have some scam problems with senior citizens. Strangely enough, we're close enough to big metropolitan areas that we have some organized crime that likes to settle in Belleville. I believe that they would be some of the top priorities that we, along with the police commission, would have to take a serious look at.

Mrs Dombrowsky: Certainly, to establish that as a priority and to establish programs that would assist in the fighting of those crimes is important, but you would also remember from the material that another responsibility is to assist the victims of crime. Do you think there is some work that needs to be done to help people who are victims of crime, who fall victim to drug dealers, who fall victim to commercial scams?

Mr Rutter: Absolutely. They need help. The biggest problem that we face in society, not only in Belleville but across this great province of ours, is trying to find those centres to deliver those services. That has become a problem.

Mrs Dombrowsky: So you would be willing to be an advocate for more resources for services for victims within your community?

Mr Rutter: Absolutely.

Mrs Dombrowsky: That can be part of your responsibility as well. While you receive a budget from the city of Belleville, there may be extenuating circumstances that would require you to go to the Solicitor General for some additional resources. It would be very important for me to understand that while, certainly, I respect that police services must operate efficiently and within their means, there certainly are circumstances that may require some additional resources, either for the short or the long term. Am I hearing you say, then, that

you would be inclined to consider possibly making those recommendations to the higher level of government?

Mr Rutter: Anything that would improve the situation, I would be quite prepared to make recommendations to the proper authority to do so.

Mrs Dombrowsky: Were you able to attend the event a week ago—I was there in Belleville—where the minister made the announcement about the youth crime and violence initiative?

Mr Rutter: I was not present. I read some accounting of it in the local papers.

Mrs Dombrowsky: That report, of course, would suggest to you that there is a good deal of goodwill within the community to work co-operatively to address some of the problems and concerns that you've identified.

Mr Rutter: Yes.

Mrs Dombrowsky: How long have you been a resident in the city of Belleville?

Mr Rutter: I think it's coming up on 10 years.

Mrs Dombrowsky: Very good.

Mr Martin: I note by your resumé that you're the father of five girls and two boys.

Mr Rutter: That is correct, sir.

Mr Martin: That was the makeup of my family.

Mr Rutter: Is that right? We are lucky parents.

Mr Martin: Yes. I was able to identify with your description of compassionate but firm. Parents of that number of children need to have a generous amount of both of those things.

I'm interested in the question that you actually raised. You have a very impressive resumé here. You've done a lot of really valuable and important things in public life. Why policing at this time? You mentioned a number of priorities. Is there one thing that is of interest to you that you think you can make a difference around or contribute to?

Mr Rutter: As the resumé points out, I've been attached to general service to the public. I guess maybe it stems back from working with people. Five years ago, if you had asked me, "Would you consider an appointment to the police board?" I would likely have said, "No. At this particular time I have many things going in the community, serving on various boards and that, that I couldn't do justice to it." I have cut back on some of my service to the community, as it illustrates in my resumé, and I have time that I want to devote to serving the city of Belleville and the residents of Belleville in a way that I think will be meaningful. That's the reason I want to serve on it. I'm not one to sit back and read the Globe and Mail and have my coffee and sleep all day. I'm active and I want to maintain that activity. I think this is an excellent way for me to do it and I believe I can do the job.

Mr Martin: There are many who claim that since September 11 the world has changed dramatically and there are many who feel that safety of community and security and policing need to change in response to that. What's your view on that?

Mr Rutter: I think September 11 has developed a different attitude in the general populace at large and it has given us an avenue where we have developed more respect, I believe, for policing per se. Policing in the past, you know, would seem to be coming across where they were enemies of the general public. Since we have had that September 11 incident, that tragic incident, it's brought to the fore the police staff, fire staff, civilian staff. Members of all ranks have pulled together and I believe it's been one of the most wonderful things that's happened, if you look at it from that aspect: a tragedy, and these are the wonderful results of it. It's made us stop and look where we're going and why were there.

Mr Martin: One of the negatives of all of that is identified as perhaps a heightened anxiety around the question of our pluralistic, multiracial, multicultural society and perhaps—it may be unintended—some racial profiling that could ensue. Do you have any comment on that or how you think that may play out?

Mr Rutter: The colour of one's skin has never been important to me in my lifetime.

Mr Martin: And you don't see it as becoming an issue as we fight this war on terrorism?

Mr Rutter: No. I think we have more common sense than to let it become an issue.

Mr Martin: OK. There's a piece in the Police Services Act that calls for the need to ensure that police forces are representative of the communities they serve. What do you think that means?

Mr Rutter: I'm going to be very honest with you. I've been trying to get a copy of the Police Services Act since I put my application in and I have not had one put in my hands yet. If you would repeat it to me, I'd be prepared to give you an answer to it, but I don't know what it means, to be honest.

Mr Martin: It says that there's a need for police services to ensure that police forces are representative of the communities they serve.

Mr Rutter: Oh, yes, certainly. I would interpret that to mean all nationalities, races and religions are eligible to serve on a police board, and on a police force.

Mr Martin: Community policing: any thoughts on where we should or might be going with that?

Mr Rutter: We have community policing in the city of Belleville and from all inquiries that I have made with friends who sit on it and are active on it, it works very well in the city of Belleville in helping the police force in many ways to prevent these petty crimes that we get into.

Mr Martin: Those are all my questions.

The Chair: That completes the questioning. Thank you very much, sir. You may step down.

We will now move to the consideration of these three individuals. There are a couple of matters I just want to give the committee a heads-up on: what we do with our next meeting and the appointments we will have; there's another matter that Mr Gravelle wishes to raise; and there's the matter of a withdrawn intended appointee.

Let me deal first with the individuals who are before us for consideration. The first is Terence Cant, intended appointee as member, North Bay Police Services Board.
1200

Mr Wood: I move concurrence re Mr Cant.

The Chair: Mr Wood has moved concurrence re Mr Cant. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

Mr Wood: I ask that Mr Braney be deferred to the next meeting.

The Chair: There has been a request that Mr Braney be referred for consideration to the next meeting.

Mr Wood: Which, I think, under the rules, simply goes over to the next meeting.

The Chair: Yes.

Mr Gravelle: May I ask why?

The Chair: Mr Wood may answer anything he wants, but you can ask why, I guess.

Mr Wood: You certainly can ask why any time you want to.

I move concurrence re Mr Rutter.

The Chair: Here it is. I'll read the section here to help members of the committee out with this procedure. It says, "At the conclusion of the meeting held to review an intended appointment, the committee shall determine whether or not it concurs in the intended appointment. Any member may request that the committee defer its determination to the next meeting of the committee, but in any event no later than seven calendar days. In its report, the committee shall state whether or not it concurs in the intended appointment and may state its reasons."

So it appears that can only take place for seven days, my interpretation of that would be, unless we have the unanimous consent of the committee to say until the next meeting.

Mr Wood: I'll ask for unanimous consent that this be deferred till the next meeting.

The Chair: Do we have the unanimous consent? We have unanimous consent. We are agreed and we will comply with the request of Mr Wood.

Mr Gilchrist: You didn't hear my no?

The Chair: All in favour?

Mr Wood: Agreed.

Mr Gilchrist: No.

The Chair: We do not have the unanimous consent.

Mr Wood: Therefore, it's deferred only one week.

The Chair: Yes, it is deferred only one week. If we have a meeting within that week, and we might well have a meeting within that week, we will be able to deal with the matter.

The next intended appointee is Edward Ted S. Rutter, intended appointee as member, Belleville Police Services Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, all in favour? Opposed? The motion is carried.

We have other business to deal with at this meeting now of the committee. One is, I should share with mem-

bers of the committee, a withdrawn one. This is a memorandum to Mr Claude DesRosiers, Clerk of the Legislative Assembly, and it's from the order-in-council appointment memo of November 2, 2001; this is from the Office of the Premier. The item is as follows: the Ministry of Municipal Affairs and Housing, Ontario Rental Housing Tribunal, William Covello. This is withdrawn. It says, "This is to inform you that one item included in the November 2, 2001, memorandum has been withdrawn, and, therefore, should not be considered." So the government has withdrawn the appointment of William Covello. That's for the information of committee.

There are other matters now. Mr Gravelle, you had a matter you wanted to raise.

Mr Gravelle: Yes. At our meeting of January 16, there was a discussion related to the expected appointments of members to the community care access corporations and a concern expressed at that time that the appointments might be for a period of time of a year or less, which would mean they wouldn't be called forward to the committee. It appears that is exactly what has happened, which I think is disturbing and it's unfortunate. I think the public should have the opportunity to know that we will be able to ask those people whether or not they are indeed qualified for the position. But the government did choose to make that move.

But I also understand, in terms of the point that's relevant to the meeting today, that there will be some appointments or are some appointments to the position of executive director. Some of them will be for a period of time of two years, which would then make them eligible. I guess what I'd like to ask Mr Wood is whether or not we can expect that those positions will be put forward under certificate and tabled so we have an opportunity to make a decision as to whether or not we want to call forward the people who are in the position of the new executive directors of the community care access centres.

Mr Wood: Whatever the rules require of course is what will happen. So you can expect that the rules will be followed to the letter.

Mr Gravelle: But can you give us any insight into whether or not these will be coming forward?

Mr Wood: I have received no information on that.

Mr Gravelle: Do you wish to comment on the fact that the appointments of the board members have been restricted to a year or less? That clearly denies us the opportunity to bring them forward.

Mr Wood: I have invited those who think that the standing orders should be changed to pass their opinions along to the Legislative Assembly committee which is studying the question of the rules right now. To the extent people have suggestions for improvement, I invite them to make them.

Mr Gravelle: I certainly think it's unfortunate, Mr Chair, that we will not have an opportunity to invite those people forward and I hope we do get an opportunity at least to interview the executive directors, the new ones, who may be appointed.

The Chair: The comment by Mr Wood that the committee can only deal with matters as they relate to the rules of the committee is, of course, one which we must follow and, that is, I cannot deviate from the rules of the committee. I don't think the committee can deviate from the rules of the committee. That would require a change by the House to do so.

Mr Martin, do you have a comment?

Mr Martin: This is a very disturbing approach that the government has taken. I raised it a month or so ago when we first became aware that this is what they were intending to do. At that time I also felt surprise from the other side at this, that they hadn't actually been told that this is what was going to happen.

I would hope, in that Mr Wood has invited us to speak to our House leaders and members to make sure that this is something that gets raised in terms of changes that need to be brought about, that he, who has emerged as a champion in his caucus for individual member's rights, would perhaps consider doing the same thing, because this removes a very significant group of appointments from the purview of the members elected to government to actually oversee public appointments in a very serious and troubling way.

I would hope that he would also work with us to make sure, if changes are needed, that they be made, because this is a skirting of the process by this government to ram through appointments, to do damage control with regard to community care access centres and some of the criticism that's coming forward from boards and executive directors where a number of them, in the last few months or weeks, as everybody knows, have literally been fired, new appointments made and, in some instances, boards of 12 members dismissed and three appointments made to replace them to carry out the work that those 12 members actually undertook. It's a very troubling evolution of the way that we deliver health care in this province.

What I would ask the Chair is, would it be possible for us, as I think we have a right to under the rules, call some of these agencies forward to be reviewed by this committee at this early date and how we would go about that?

The Chair: The committee indeed may review whatever agencies it wishes. In recent years the committee has spent more time reviewing intended appointments as opposed to agencies. Members can put forward motions to review agencies and they can be considered by this committee. But you were making a comment that I think Mr Wood wanted to respond to. Did you? Mr Wood did not want to respond to it necessarily. You have an opportunity at any time, I suppose, to put forward a motion but it would be the determination of the committee whether it wishes to review any specific agencies.

Mr Gravelle: Just for clarification, if either one of the parties makes that motion, is it then only successful if the government agrees, or can we simply call forward an agency such as the community care access centres and we would get a chance to examine their operations?

The Chair: It would require a motion of the committee and then the committee would vote on the motion.

Mr Gravelle: I would hope that the government members would support—

Mr Wood: That wasn't my understanding of the rules. Maybe I'm wrong. I thought any one of the three parties could require a review of an agency. I might stand corrected.

The Chair: We will get clarification from our clerk on that.

1210

Mr Gravelle: Because certainly I would be—

The Chair: While we're getting that clarification, go ahead, Mr Gravelle.

Mr Gravelle: I would certainly like to take the opportunity to move that we do bring the community care access centres forward for examination, if indeed we are allowed to do that.

Mr Martin: I would move very specifically that we ask before this committee at it's earliest convenience the Sudbury community care access centre, it's board and new executive director; that we call that agency forward, and that any personnel that we need to speak to or ask questions of with regard to that agency be brought forward, as we have done in the past.

The Chair: We're getting clarification at this time on the specific rules that revolve around how an agency is brought before this committee. This tells us how many agencies we have reviewed lately. We're getting clarification of that and whether it requires a motion of this committee or whether it doesn't. After that, of course, if it happens to be the case, we have to then schedule it appropriately.

I am informed that we need a majority of the committee to agree to review any agency. In the past, it is our understanding that by consensus we have placed agencies before the committee for consideration, but that it would require a motion, a voting on the motion and a passing of a motion by the majority of the committee for us to review a specific agency, though I can recall—and this may be where Mr Wood's comments come in appropriately—where there has been a consensus that has developed and each of the parties have suggested agencies that we review and then it was accepted by the committee that they be reviewed. That is our understanding; the clerk has sought that clarification and has come back with that clarification.

Any further comment? The motion, then?

Mr Martin: I would move that we bring forward a number of the community care access centres to be reviewed, beginning with the Sudbury agency.

The Chair: The motion, I should say, is a bit on the vague side because you said, "a number of them" and the members of the committee would like to know which.

Mr Martin: Sudbury.

The Chair: OK, if Sudbury is the specific one, a specific community care access centre agency—that is a specific one for review as an agency, not individuals,

though individuals from the agency may appear, I suppose, while we do that. Any comment, first of all?

Mr Wood: I have a question. It is my understanding there are sittings in the intersession that pertain only to consideration of intended appointees. Am I correct in that? That the standing orders provide for us to—I have just been given something which may assist. I do have the standing orders here.

The Chair: I have a standing order, point 13, that says, “During any adjournment of the house that exceeds one week, the committee shall meet on such day or days as may be determined by the subcommittee, but in any event not more than 3 times per month.”

Mr Wood: Where are you in the standing rules so I can follow where you are? What rule are you in?

The Chair: It's 106.

Mr Wood: What part of it?

The Chair: It's (e); 106(e)(13).

Mr Johnson: I just wondered if it would be better if the subcommittee dealt with this and brought us their recommendation.

The Chair: Certainly what has happened before, I am informed by the clerk, is that permission was sought to review agencies—that was denied in this intersession—but that a subcommittee could still have the opportunity to get together to determine whether or not we would want to review any agencies while the House is not sitting.

Mr Wood: I think that perhaps we might invite you, Mr Chair, to call a meeting of the subcommittee. I think it would be of some help that, if there are those who feel that an agency should be reviewed, they might give advance notice to the other members of the subcommittee so we can be aware of what's going to be requested. If that procedure is not followed, it may well be that the matter will have to be deferred when it gets to the subcommittee.

Mr Martin: I actually have no difficulty with that. I think that's the respectful thing to do, to give everybody some notice that we want to bring forward an agency. Certainly I've indicated today which agency we would like to see. I believe that once we've decided, as in the past, by consensus—because I've sat on this committee for quite some time—that we would bring an agency forward, then each caucus gets to name people they would like to invite to come before the committee to answer questions or to give deputation on behalf of that agency. That would be the way it would work. I am certainly willing to meet as a member of the subcommittee to suggest, hopefully by consensus, that we actually bring forward one of these agencies.

Mr Gravelle: I'm comfortable with that as well. Quite frankly, I wouldn't mind a little opportunity to do some work in terms of which agencies we want to bring forward. That would probably be the most appropriate way to do it, through the subcommittee meeting, if we can do that as soon as possible.

The Chair: We appear to have a consensus on this and, as Chair, I think it's a wise consensus, because if we

simply have a motion come before the committee people may vote for and against without a lot of consideration of things. The subcommittee has a chance to have a good informal exchange of views on this and perhaps develop a consensus on the subcommittee. When we have a unanimous subcommittee on matters of this kind it usually has considerable success when we get to committee. As Mr Wood has suggested, I will call a meeting of the subcommittee for that purpose, to determine if any agencies shall be called and, if so, which ones, and then talk about the possibilities in terms of dates and times.

Mr Gravelle: Terrific.

The Chair: I'm back now to another issue and that is the next meeting of this committee. With all members sitting here now, perhaps I could get a thought as to when you would like to meet next. Personally, as Chair, I'm prepared to meet any time in the next week or two weeks, whatever you need.

Mr Wood: What would business that we have before us indicate as an appropriate date?

Mr Martin: That's a good question.

The Chair: I would ask the clerk to comment.

Clerk of the Committee (Mr Tom Prins): In the subcommittee report we passed this morning there were four new appointments. We'll have to deal with those intended appointments and then we have the deferred vote on Mr Braney.

Mr Gravelle: Let's do it next week.

The Chair: Are you available next week?

Mr Gravelle: I would suggest next Wednesday.

The Chair: The problem with that is that we ordinarily get information from Mr Pond on the Friday before. You would probably have to wait a little longer to get that material. In terms of having background information, it would take a longer period of time, unless you wanted to deal with just one at that time.

Mr Martin: We have the challenge of the appointee who was stood down today. If we're going to deal with it, it has to be done in a week or else I don't know what happens to it. It goes into the netherworld or whatever.

The Chair: I'll ask our clerk to comment on that as to what happens. We do not have unanimous consent, quite obviously. Mr Gilchrist has dissented, as is his right in the committee. We do not have unanimous consent. There is a seven-day rule. I'll ask the clerk to inform us as to what happens if we do not meet within the next seven days.

1220

Clerk of the Committee: Standing order 106(e)(10) outlines the steps that would be taken or what happens if the committee doesn't report on an intended appointee. I will confirm, but if we don't present a report, then a report is deemed to be made that we're in concurrence. But I will verify that.

Mr Wood: Where do the rules say that?

Clerk of the Committee: Section 8 of standing order 106(e).

The Chair: Our clerk will seek further clarification.

Mr Wood: I've read subsection 8 of that and I haven't found what you've just said.

The Chair: If we can wait a moment, we'll get some further clarification from our clerk as to the procedure we would follow and the consequences of not dealing with this intended appointee within seven days.

The clerk has clarified this for us. The ruling would be that if we do not deal with this intended appointee within seven days, the report is deemed to have been made and the appointment is concurred in.

Mr Wood: Where do the standing orders say that?

The Chair: We'll ask our clerk to read the standing order to the committee.

Mr Wood: If you'd just refer to the subsection.

Clerk of the Committee: Section 10 deals with the deadlines. If the committee doesn't meet these deadlines then a report is deemed to have been made and the committee concurs in the appointment.

Mr Wood: OK, I understand what you're saying now. I've got it.

The Chair: If I could just read to the committee number 10, it reads as follows:

"A report that the committee will not review an intended appointee shall be deemed to have been made by the committee and adopted by the House in any of the following cases:

"(a) a report respecting the intended appointee has not been made by the committee within 30 calendar days following the day on which the minister tables the certificate referred to in paragraph 1,

"(b) the subcommittee does not at its first meeting following the day on which the minister tables the certificate select the intended appointee for review, or

"(c) the intended appointee has not been selected for review by the subcommittee within 14 days following the day on which the minister tabled the certificate."

It appears we are in a circumstance where the following is what we must follow: we either deal with the appointment today or we must have a meeting within a week, that is, by next Wednesday, to deal with the intended appointee. Otherwise, the person is automatically appointed. That is, I believe—

Mr Gilchrist: Your first option is no longer an option because the committee has agreed to a deferral. So you have one option and one option only, and that is when you call your next meeting day. Since there's no motion on the floor, I'll move the committee return two weeks from now, on March 6, for the consideration of further appointments, in deference to the legislative research.

The Chair: Just to clarify it, we are in this situation: you have heard the motion. The motion would mean that the intended appointee in question today would automatically be approved without further consideration by the committee. I just want to clarify that for members of the committee. So if you vote for Mr Gilchrist's motion, then the intended appointee would automatically be approved and we would not have a chance to review it. If you vote against the motion, well, you vote against the motion.

Mr Gilchrist: On a point of order, Mr Chair: You have no further ability to review anything. You have the ability to vote, but you have no further ability to review. So I would appreciate that clarification for the committee. The only thing that would happen after deferral is asking people to put up their hands.

The Chair: Yes, exactly. Mr Gilchrist is correct in saying that it would not be a further review, where the intended appointee is before the committee; it would be a matter of discussion and voting.

Mr Gilchrist: Discussion I'll accept.

The Chair: You're quite right.

Mr Martin: I understand now what the point is that he was making. In terms of the motion that's before us, it's absolutely impossible for legislative research to get—I would like to honour the intent of Mr Wood to have more time to review this appointment and to have a chance to vote on it at some point. But to come back next week simply for a vote, particularly those of us who have to come a long way, never mind the time, is quite expensive for the Legislature. If there were any way that we could do a few more appointments next Wednesday, it would seem to me to be more in keeping with the responsibility of this committee for us to come back next Wednesday and deal with this, if there was sufficient work for us to do.

The Chair: Of course, as you know, there are always opportunities for any members of the committee who are unable to be here to have substitutes. I was just informed that's something we can do. This committee has full substitution rights. If any members of the committee are unable to be here for a meeting next week, for instance, those people could be substituted for, including the Chair. So that option is available as well.

Is there any other further discussion of this motion?

Mrs Dombrowsky: The motion is to meet—

The Chair: The motion is to meet two weeks from today.

Mrs Dombrowsky: I would like to make a comment on the motion. I think there were some intentions understood at the table that—because I was not as familiar with the standing orders, it was my intention that when the intended appointee would be returned to the table, we'd have an opportunity to make some comment about our impressions. So I'd like to make those comments now, since I'm not going to have—

Mr Gilchrist: That's not in order, Chair.

The Chair: That's not in the motion. He has a motion before the committee right now, so you can only speak to Mr Gilchrist's motion at this time. Mr Gilchrist's motion is that the committee meet two weeks from today to consider further appointments.

Mr Gravelle: I hope the government members, aside from Mr Gilchrist, vote against this motion. I think we should have an opportunity to make comments on Mr Braney's intended appointment. This is not the way the process should be working.

Mrs Dombrowsky: You gave unanimous consent. We wouldn't have done that.

Mr Gravelle: I certainly can't speak for the government members, but I'm sure that wasn't their intent either. This is not the way the process—we talked about it earlier regarding other appointments. This one was brought before the committee. One would like to see the process give us an opportunity to at least make our comments and discussion before we vote on it. So I hope the other members of the committee would not support Mr Gilchrist's motion. Otherwise, it makes kind of a farce out of the process, as far as I'm concerned.

Mr Johnson: I want to comment, because I have two things to decide. One is when that next meeting is and the other is how you're going to treat the deferment. I assume we have a subcommittee and they will determine that. So I don't want to get mixed up in, "You have to vote one way because...." I don't want to be coming down to Toronto every time—Mr Martin says that we can't. It's impossible to make these determinations. I've had telephone calls, there have been votes by phone, and all sorts of things, so it's not impossible. I want to vote on when our next regular meeting is and I'm prepared to do that right now.

Mr Gravelle: Just as long as we understand the implications of that. The fact is, if we support this motion, the Chair has made it very clear we are putting ourselves in a position where we can't actually vote on this appointment. I think we would want to have an opportunity to make comments on the appointment. I think that all members would want to be in that position to actually vote on this appointment.

1230

The Chair: The clerk will correct me if I'm wrong, just to go through the sequence of events we've had: we have had Mr Wood request that the consideration of this appointment be deferred. The committee has agreed that—

Mr Wood: No, they haven't. It has been deferred. Any member of the committee can request a deferral and they get it. The committee does not have to agree to my request.

The Chair: Any member may request it, but what would require consent would be going beyond the seven days. Correct?

Mr Wood: Yes.

The Chair: Yes, that's what it is. So the committee does not have any say if a member requests, as Mr Wood has requested, that it be deferred; it can be deferred. The next question would be, of course, when are you going to defer it to? If you defer it beyond seven days, it automatically goes through without further consideration. If we have a meeting within seven days, you can consider that. If we had a meeting, for instance, for next Wednesday to pull something out of a hat, that's within seven days, then you could consider—when I say "consider," I mean only have the discussion on and the vote on that intended appointee at that time.

As you know, with Mr Gilchrist's motion, which is on the floor now, he is saying that the next meeting shall be two weeks from now and all intended appointees two weeks from now shall be considered. That would not

include, as I understand, the intended appointee to the Environmental Review Tribunal, because that would have automatically gone through as a result of not being considered within seven days.

We're getting a little bit of further clarification.

Mr Gilchrist: As the mover of this motion, let me just say that I am taking direction from the legislative researcher. I haven't heard anything in the course of this debate that altered his original submission that he can't do it in less time and provide adequate notice to the members of the committee. So if, for some other ulterior motive, you want to short-circuit the review of the other four appointees, then certainly take a different path. But you have heard from the person who prepares that research for your consideration, presumably for your informed review and the opportunity to have an informed discussion with intended appointees, that he can't do it.

With the greatest respect, familiarity with the rules is an obligation of each member. This certainly is not the first deferral, and if people aren't familiar with that rule, then I suggest they go back and bone up on the standing orders. But in this case, if the work of the committee is focused on the next group of appointments as much as anything that happened here today, surely you have to pay deference to the submission you've had from the legislative researcher. If you want to hear just one and he can produce one, well, that becomes a cost consideration for Mr Martin and the \$2,000 it will probably cost us to fly him down and back—it's certainly \$1,000 with no advance notice—if that's your consideration. But we haven't heard anything to the contrary that next Wednesday is not an option for the legislative staff.

Mr Martin: I think it's important to make clear here that we all understand the rules and that the issue at hand here is a member of the governing caucus who has found a way around a deferral here, that he obviously is opposed to, to get this appointment made without there actually in fact being a vote. That's what this is about.

The Chair: Any further comments on this motion? Just so I can help members out, Mr Gilchrist is quite right in saying that if you wanted to come back next week for the purposes of dealing with one individual, you may do so. As we know, anybody can substitute, whether it's Mr Gravelle, Mr Martin, Mr Gilchrist or myself. Any one of us can have another substitute in for the vote at that particular meeting, because we would not be going through a further review; we would simply have the discussion of that appointment and the vote on that appointment. So if you wish, you can get your substitutes, or you can vote for the motion, whatever you wish.

Mr Gravelle: I do think it's important that we have an opportunity to have a discussion related to this appointment. And you're quite right; I appreciate what you've just said, Mr Chair, in terms of substitutes. I appreciate that Mr Gilchrist's motion is on the floor first. I guess we have to vote on it, unless you withdraw it. I would certainly move that, given the opportunity, we do meet next week. As it turns out, I will be here and I think my colleague will be here as well. So it would certainly be an opportune time for us to do it. It would have been better,

obviously, to have many other appointments, but I appreciate that Mr Pond is not able to provide that material, and that's certainly not his fault.

But I think it's important that we deal with this by completing the process, which was certainly the intention, I trust, when the day began, to have the interview of the intended appointee and to have the discussion and the vote. I would like to think that we'll have that opportunity. It appears now, because of what has happened, that the only opportunity we will have is if we do meet next week. So I would like to suggest that we do that.

Mr Martin: There is one other possible scenario here, and that's that Mr Wood—going back to further investigation with regard to this appointment—finds, as he has in the past from time to time, that they want to withdraw the application. That could be what happens as well. That notice could come to us long before next Wednesday, if that's what your intention is. You've done that in the past; we've had intended appointees deferred and the government caucus come back and say, "We've withdrawn that intended appointment." That could happen as well.

The Chair: Any other discussion on this matter? I think we all know what all the implications are of this motion. I don't think there's anything further. If you'd like any further clarification, I can get it for you. But as you know the implications of it, I'm going to call the vote.

All in favour of Mr Gilchrist's motion? Opposed? The motion is defeated. When you make a motion and it's tied, the motion is defeated.

Mr Gravelle: I would like to move that we meet next Wednesday. I move a motion that we have our gathering next Wednesday.

The Chair: For which purpose?

Mr Gravelle: I move we meet next week to consider—

The Chair: I have to have a specific day.

Mr Gravelle: —next Wednesday, February 27, at 10 am, to consider the deferred appointment.

The Chair: Discussion? Does anyone wish to discuss that? OK, if there's no discussion, all in favour? The motion is carried. We will have a meeting next week for that purpose.

May we leave the next meeting of the subcommittee subsequent to that? Is that what you'd like, or would you like to move that yet another meeting be held in March? We can do that by the whole group here today or by the subcommittee.

Mr Wood: I for one would be satisfied with that, at the discretion of the Chair, after consultation with the subcommittee.

The Chair: Thank you, Mr Wood. We will do that.

Any further business for the committee? Clerk, do I have any further business? If not, I'll ask for a motion of adjournment.

Mr Wood: So moved.

The Chair: Mr Wood has moved adjournment. All in favour? Opposed? Carried.

The committee adjourned at 1239.

CONTENTS

Wednesday 20 February 2002

Subcommittee reports	A-329
Intended appointments	A-329
Mr Terence Cant	
Mr Christopher Braney	
Mr Edward Rutter	

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)
Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)
Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)
Mr Bert Johnson (Perth-Middlesex PC)
Mr Tony Martin (Sault Ste Marie ND)
Mr Frank Mazzilli (London-Fanshawe PC)
Mr Jerry J. Ouellette (Oshawa PC)
Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Steve Gilchrist (Scarborough East / -Est PC)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

12 ON
C 19
652



A-22

A-22

ISSN 1180-4335

Legislative Assembly of Ontario

Second Inter-session, 37th Parliament

Assemblée législative de l'Ontario

Deuxième intersession, 37^e législature

Official Report of Debates (Hansard)

Wednesday 27 February 2002

Journal des débats (Hansard)

Mercredi 27 février 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Tom Prins

Président : James J. Bradley
Greffier : Tom Prins



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 27 February 2002

Mercredi 27 février 2002

The committee met at 1005 in room 228.

INTENDED APPOINTMENTS

CHRISTOPHER BRANEY

Review of intended appointment, selected by official opposition party: Christopher Braney, intended appointee as member and vice-chair, Environmental Review Tribunal.

The Chair (Mr James J. Bradley): I will call the meeting to order. The only item on the agenda this morning is the consideration of the appointment of Christopher V. Braney to the Environmental Review Tribunal.

Before I do that, I just want to mention that the subcommittee which deals with further committee business will be meeting later, I think, at 12:30, because Mr Wood is unable to be with us at this time and he's the Conservative person on that. The subcommittee people will meet at 12:30 today to discuss further business of appointments later on.

Mr Steve Gilchrist (Scarborough East): Mr Chair, does that mean Mr Martin is around today?

Mr Michael Gravelle (Thunder Bay-Superior North): No, by conference call.

Mr Gilchrist: That wasn't noted.

The Chair: The consideration of the appointment of Christopher V. Braney to the Environmental Review Tribunal: as you know, the interviewing part has taken place. This is the discussion and voting part that we're involved in now.

Mr Gilchrist: I presume it's appropriate for me to move concurrence in the appointment of Mr Christopher Braney.

The Chair: Mr Gilchrist has moved concurrence in the appointment of Christopher V. Braney to the Environmental Review Tribunal. Discussion?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I will not be supporting this appointment. I think it's important that I state for the record, and hopefully impress upon the members of the government, who, it is assumed, would support the appointment, some of the points that I think are very serious with regard to the appointment.

Last week when Mr Braney was interviewed it was very clear, and in fact the Hansard would reflect, that Mr Braney acknowledged he had no qualifications in either

environmental studies or the law. We are talking about an appointment to a quasi-judicial body. The Environmental Review Tribunal is a body that considers issues in terms of how environmental laws are respected, if they are; if the law has in fact been followed on any variety of issues.

Also, I've had the opportunity to review other people who have been appointed to the tribunal in the past by your government, individuals who certainly were patronage appointments from the perspective that they were probably from a Progressive Conservative background or had that in their history, but also individuals who had been able to demonstrate that they had some experience in areas that would relate to the work of the tribunal. Clearly this is not the case with Mr Braney.

I have been so concerned by the fact that this individual brings no professional credentials to this role that would relate to the role. In fact, I have some question about the credentials that were presented last week. He did state that he has a diploma. However, that is not what is reflected in the resumé that he presented to us for consideration, where it is indicated he studied marketing management. I think it begs the question, if he has a diploma, why that would not have been stated in the official documents that had been filed with this committee for our consideration and that are a matter of the public record. For me, there is even a question about what professional credentials he himself carries.

I have been so concerned with this lack of qualifications for the role that I have written to the Minister of the Environment to bring to her attention that in fact there is an appointment—and while I certainly can appreciate that I've been on this committee long enough to understand that very regularly we interview people who are members of the Conservative Party and supporters of the party and of individuals and I have voted in favour—and the members opposite will reflect and understand that I don't oppose all of those, because I believe we have a responsibility at this committee to assess the abilities that an individual has and what they can bring and contribute to the role to which they are appointed—I am very concerned that the individual we interviewed last week does not have the qualifications that this very important body requires. This is a quasi-judicial body.

1010

I have also had the opportunity to speak with some lawyers who have encountered Mr Braney in his capacity

as a member of the Toronto East Rental Housing Tribunal, and some of the comments that have come to me about this individual are that he really has no appreciation for how to run a hearing; that he is incapable of hearing submissions on points of law; that he's impatient. Those are comments that have come to me from people who have no personal issue with Mr Braney, but when asked about whether they would they see him as capable in a quasi-judicial role, these were comments that were made to me. I believe that last week there were even members of the government who were here for the interview who had some question about whether this appointment was worthy, and hence there was a motion to defer from a member of the government.

I think these are all important points to consider for those who were not able to be here last week when the intended appointee was interviewed. I think the members of the committee would know me and my performance on this committee. I don't regularly speak at length or as passionately as I am today about an intended appointee. I say this to you so that you understand how very serious I take this matter. I think that the Environmental Review Tribunal serves a significant function for us as government to protect the people of Ontario and I'm looking for the very best people, who have a background, who can assist us in that way. For those reasons, I will not support the appointment of Christopher Braney, because I do not believe he brings any of those qualities that are essential to be effective in that role. I do not believe he possesses them.

I regret very much that I have to make those kind of comments here. I think the government has had an opportunity to consider the intended appointee and I certainly had hoped that perhaps there would have been some indication, as has happened in the past, that the intended appointee would be removed from consideration for this appointment. That has not happened, so it has meant that I've had to speak as strongly as I have this morning.

The Chair: Any further discussion?

Mr Michael Prue (Beaches-East York): I was going to speak but I think all of the points have been covered. I don't believe that I can support this appointee either.

Mr Gilchrist: First off, let me put on the record that Mr Braney phoned me. He asked for a copy of Hansard and, on reviewing Hansard, had noted that at one point crosstalk with Mrs Dombrowsky had left Hansard with the impression—he thought you had asked the question, "Was it a diploma program?" and he made it clear to me that the résumé that's been circulated to you is in fact the accurate reflection.

I'm not here to attribute blame one way or the other. As we know, quite often it is the case in committees where two people are talking at the same time, and Mr Braney certainly wanted the record to reflect that he had not finished that diploma program, although he is in the process of finishing it. But the résumé that was sent to you is in fact accurate.

We certainly have had another week to reflect and we believe, as we believed last week, that this is an appoint-

ment quite appropriate for concurrence. It is our experience—it's certainly my experience—that the folks who most likely get appealed from tribunals are people who come in with legal background. They are the folks who, more often than not, want to make it into the record as having set a precedent one way or the other. They tend to be perhaps more focused on the detail and less on the overall substance of the case that you're hearing.

I think at the Rental Housing Tribunal we have a particular dynamic where most often it is the well-resourced landlord going up against a not-too-accomplished, at least in legal terms. I think an accommodation has to be made, and I have no doubt that in those tribunals it is quite often the case that you don't exactly follow the same protocol you would in a court of law, where both parties are represented by equally trained lawyers.

I'm not at all uncomfortable with the fact that people get appointed to different jobs without having an exhaustive background, particularly in the law. If that were the case, there would only be about eight MPPs, and you wouldn't be one of them, Ms Dombrowsky. If there is a job in this province that has a requirement for a greater knowledge of law and law-making, I can't think what it is, other than MPP or MP. I don't think anyone would suggest you're not qualified to bring to this body whatever background and skills you've been able to develop over the years, as with the other 102 members who sit in that chamber.

To suggest that people are not capable of bringing a number of talents, augmenting that with the specific training they get, exhaustively in this panel—I'm told it could be as much as six months before you hear any cases on your own, and before that you sit on joint panels. In that circumstance, I think it's quite appropriate to concur in the appointment of Mr Braney, and we still support that concurrence very strongly.

Mr Gravelle: First of all, I'd like to make sure we have a recorded vote on this, if I may request that.

I will also not be supporting Mr Braney's appointment. I think even listening to Mr Gilchrist just now, it's an interesting defence of this appointment in that he is, quite frankly, acknowledging Mr Braney is not particularly qualified, in fact not qualified at all in this specific way. The fact is, this is an important quasi-judicial body. It is the Environmental Review Tribunal.

It appears the major qualification Mr Braney has is that he is a good supporter and friend of Mr Gilchrist. We know he's made a \$1,000 donation to Mr Gilchrist's campaign, we know he worked on Ms Mushinski's campaigns, and that's just fine, but those appear to be the major reasons this is going forward.

We also know, just based on what happened last week, that Mr Wood himself, who is the chief government whip on this particular committee but is not able to be here today, has expressed some reluctance, and some of the other members did as well, and I think for all the right reasons.

Mr Braney clearly is not qualified. Upon further investigation it appears he's even less qualified than we were told last week. I would ask the government members to be very careful in this decision. When we've seen what's happened in the Ministry of the Environment over the last four or five years, it just seems very unfortunate to be putting forward the name of a person who is so clearly not qualified, other than by his political connections.

I feel very strongly about this and will be voting against it myself.

Mrs Dombrowsky: I'm going to respond to the comment made by Mr Gilchrist with regard to his understanding of the requirement for some type of understanding of the law. This is a quasi-judicial body; the Legislature of Ontario is not. This is a quasi-judicial body, and it is the role of the people there to consider issues in terms of how the law has or has not been applied. They work exclusively with the law. While members of the Legislative Assembly make the laws, we are politicians, and I would suggest that our chief and most significant role is to be the representative voice of the people who sent us and to provide that perspective when laws are made.

I think it is also interesting to note that when defending Mr Braney in terms of the qualifications he doesn't have, there was no significant effort made to explain how someone who, in my opinion, has no professional background or has not demonstrated any occasion where he has studied the environment would even be considered for a role on the Environmental Review Tribunal. I can't impress enough the importance or the significance of that. I'm sure we all know the importance the people of Ontario place on environmental issues. I think it's only responsible that when we are considering people who will be looking after our environment and making sure all the laws that impact our environment are being considered, we're going to have people there who know what they're talking about. I don't believe Mr Braney brings the credentials that would enable him to do that as other people would.

The Chair: If there is no further discussion, I'm going to put the question. There's been a request for a recorded vote, so we'll proceed in that direction. All in favour of the appointment of Christopher V. Braney to the

Environmental Review Tribunal; in other words, in favour of the motion?

Ayes

DeFaria, Gilchrist, Hardeman, Mazzilli.

Nays

Dombrowsky, Gravelle, Prue.

The Chair: The motion is carried.

COMMITTEE BUSINESS

The Chair: The next item of business is simply a housekeeping one. As you know, the committee is sitting in the intersession, and that sometimes requires us to get on the telephone and try to get consent for waiving the 30-day period of time after an appointment has been made. We've always had that consent. It has been suggested to me that perhaps we would have consent from the committee today to waive that 30-day period. I think the House is not likely to come back on the normal schedule, because we have the leadership convention and one would anticipate the government wouldn't be back the day after or anything of that nature, so it requires that. Can we have unanimous consent?

Mr Gilchrist: Are you suggesting that pursuant to that the committee would not meet?

The Chair: No, the committee meets. But there's a 30-day period after the cabinet passes an appointment when the committee has to consider it. Sometimes the schedules of members of the committee are such that we can't have a meeting within those 30 days. So what we normally do is have an extension that takes place. As I say, the government and the opposition have agreed to that every time. Do I have that consent?

Mr Gilchrist: Yes, agreed.

The Chair: Thank you very much.

Is there any further business for the committee that anyone wishes to raise? If not, the committee is adjourned.

The committee adjourned at 1022.

CONTENTS

Wednesday 27 February 2002

Intended appointments	A-347
Mr Christopher Braney	
Committee business	A-349

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Carl DeFaria (Mississauga East / -Est PC)

Mr Steve Gilchrist (Scarborough East / -Est PC)

Mr Ernie Hardeman (Oxford PC)

Mr Michael Prue (Beaches-East York ND)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A2 ON
XC19
-G52

Document
Publication



A-23

A-23

ISSN 1180-4335

Legislative Assembly of Ontario

Second Intercession, 37th Parliament

Assemblée législative de l'Ontario

Deuxième intersession, 37^e législature

Official Report of Debates (Hansard)

Tuesday 19 March 2002

Journal des débats (Hansard)

Mardi 19 mars 2002

**Standing committee on
government agencies**

Intended appointments

Committee business

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Travaux du comité

Chair: James J. Bradley
Clerk: Tom Prins

Président : James J. Bradley
Greffier : Tom Prins



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 19 March 2002

Mardi 19 mars 2002

The committee met at 1032 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr James J. Bradley): I'm going to call the meeting to order this morning. We have a couple of items on the agenda; to begin with, the report of the subcommittee on committee business dated Thursday, February 27, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? All in favour? Opposed? The motion is carried.

Second is the report of the subcommittee on committee business dated Thursday, March 14, 2002.

Mr Wood: I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

ROBERT SHIRRIFF

Review of intended appointment, selected by official opposition party: Robert Shirriff, intended appointee as member, Ontario Securities Commission.

The Chair: We now begin our appointments review. The first is Mr Robert Shirriff, intended appointee as member, Ontario Securities Commission, and he will correct me if I have mispronounced his name.

Mr Robert Shirriff: You've pronounced it perfectly, Mr Chairman.

The Chair: Thank you. Welcome to the committee, sir. As you probably know, you have an opportunity initially to make some remarks, should you choose to do so, and subsequent to that each of the political parties represented on the committee has up to 10 minutes to direct questions to you.

Mr Shirriff: Chairman and members of the committee, I will take the opportunity of making a brief statement. I first want to thank you for the opportunity of appearing before you today.

I believe you may have seen a brief outline of my educational and professional history to date. A brief amplification on my professional career:

I began the practice of law in 1958 at Fasken Martineau and have remained with that law firm ever

since. My early years were spent in the practice of civil litigation. However, as one of 14 lawyers, I also practised in other areas of the law. As time passed, my practice began to concentrate on business law transactions and since the early 1960s it has been exclusively in this area.

Although most of my time has been spent on financings, mergers and acquisitions, I have also worked on some other unique matters. One that I found most memorable involved working with the Ministry of Health, the Toronto Western Hospital, the Toronto General Hospital, the Ministry of Health and the University of Toronto in the preparation of the public bill which merged the two hospitals; I represented the hospitals. Working with all of those parties, particularly in that case the legislative drafting experts, in bringing the matter to a successful conclusion was for me a most enjoyable experience.

For the past 10 years I have been involved almost exclusively with mining transactions.

With respect to my appointment which is under review, please let me explain that I did not seek it. I was called by the chairman of the Ontario Securities Commission and told that my name had been proposed by the commission's nominating committee. He explained to me, in general terms, what the appointment would entail and asked if I would let the nomination stand. I was taken completely by surprise, and I requested a short period to consider my answer. Although I now have special-partner status with my law firm, I still have a very active practice and was concerned about the impact the appointment might have upon it. I spoke with several of my partners and on reflection saw the appointment as an interesting and challenging one. I also remembered something my late senior partner, Mr Calvin, had told us as young lawyers: "If your government asks you to perform a public service, it's your duty to accept it." Mindful of this and trusting that those commissioners who had worked with me in the past were confident that I had the qualifications for the appointment, I telephoned the chairman and told him I would let my nomination stand. That is my statement, and I welcome your questions.

The Chair: Thank you very much, sir. We begin our consideration of the appointment, going in rotation from the last day, with the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time, so we move to the official opposition.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Shirriff. How are you, sir?

Mr Shirriff: Fine.

Mr Gravelle: Obviously you've had some experience working with the Ontario Securities Commission in terms of your relationship, and with your background as well, it's clear that you feel you bring something particular to this and are able to find the time. What do you see, though, as some of the changes that might be brought forward in terms of the role the Ontario Securities Commission plays? I think it's probably fair to say that the average Ontario citizen is not totally tuned in to the role they play and it tends to be most public when there are major matters they're dealing with, dealing with some of the larger and more significant financial figures in our country and our province. Begin by telling me what you think you can bring to it and what changes, if any, you would be moving toward.

Mr Shirriff: I think one of the problems the country faces with respect to securities administration is that very fact, the way the securities surveillance is administered throughout the country. Capital is extremely important to Canada, being able to attract capital: (a) have pools of capital and (b) have people who want to come to raise their capital in these markets. That's what will produce wealth for this province and for the rest of the country. To the extent that the capital pools are not available, it's a problem; and to the extent that the procedure, the regulations and the rules you have to follow to raise capital are difficult and complicated, it also creates a problem.

There has been a lot of comment in the press recently—I'm sure all of you have read it—from both Barbara Stymiest, the president of the Toronto Stock Exchange, and from David Brown, the chairman of the commission, that we have too much regulation in the country. We have 13 jurisdictions, some of which regulate more than others, but basically you have 13 regulatory bodies to go through. There has been an effort for some time now to streamline that. It's a very political issue, as I'm sure you would appreciate. I believe the chairman's present position is that we don't need a federal agency; we should have a pan-Canadian agency whereby the provinces, which have the legislative jurisdiction in this area, as you know, will be prepared to cede their regulatory power to a single commission or agency. I believe Barbara Stymiest has spoken in terms of a federal agency.

One way or the other, I think it would be most desirable for the capital markets, for business in this country, for everybody really, because I think in this country wealth does trickle down to everybody, that we achieve that. To the extent that I could help in that regard, I would be extremely happy to do so. That, I think, is one issue.

1040

Of course, the other issue is what is on everybody's lips these days, the Enron situation and the problems: could Enron happen in Canada; what are the causes of

that; and what steps can we take to ensure that a similar situation will not occur in Canada? I know the commission is dealing with those very questions today. I think you will see movement on a number of fronts relating to the accounting rules and regulations and relating to disclosure, transparency in financial statements and that sort of thing. To the extent that we can achieve progress in that direction, I think we will have accomplished something quite significant; and to the extent that I can make a contribution to that, I would be pleased to do so.

Mr Gravelle: You're touching on, obviously, a very interesting and very sensitive point, especially when one talks about there being too much regulation—at least for those who feel there's too much regulation. That can be very much a double-edged sword, I think. There are those for whom that raises a bit of a red flag, because, as you say, one thinks of a variety of incidents where, I would argue, indeed people in this province suffered as a result of there not being the appropriate regulation. Obviously, in the financial services sector that would be something you would want to be very careful of in terms of how one defines "regulation," I presume.

Mr Shirriff: Yes. I think there are advantages in streamlining it in the sense that we have regulation—make no mistake, we need regulation; we need good regulation. What I think is everyone's—not everyone's; I think what is the chairman's desire, Stymiest's desire and the desire of a number of others involved in the capital markets, is to have one regulated agency.

Mr Gravelle: And that is referring, in essence, to the national securities regulator or the pan-Canadian version. Tell me quickly about how you would view the pan-Canadian version working. Is it because an actual national securities regulator is too difficult to achieve, or it just simply would make it more difficult for all the provinces to play a role? The pan-Canadian version is fairly close to that.

Mr Shirriff: Well, I don't want to appear to be lecturing, so please—

Mr Gravelle: Feel free.

Mr Shirriff: —tell me if I am. There is a constitutional question, of course, as to whether the federal government could legislate to create such an agency; I think there's constitutional ground for saying it could. Some of the provinces, I think, would be prepared to abdicate the field, in a sense, and let the federal government do it and others would not. That would cause, I believe, a bit of political turmoil.

If you went to all the provinces which have the legislative jurisdiction and said, "Look, let us create one agency. Let's get our Canadian securities administrators together, let's create a framework and let's give it to one agency. Let's have provinces represented on that agency but have somebody who wants to file a prospectus etc deal with one agency," this would be the most efficient way of doing it. The way you would accomplish that is by getting the co-operation of each province in ceding some of its authority to this one agency. I believe it could

be done. I believe it will have to be done. But I think it will take a little bit of time.

Mr Gravelle: If I may ask you one more question before I pass it off to my colleague Ms Dombrowsky, in the May 2000 budget, then-Finance Minister Ernie Eves was moving toward merging the Ontario Securities Commission with the Financial Services Commission. That still has not taken place. I think they were asking to have submissions completed by last June, in 2001, and nothing has happened. What are your thoughts on that in terms of the value of it? I certainly always have a number of questions related to the role of the Financial Services Commission in the province, and I'm just curious as to your thoughts on this.

Mr Shirriff: That's a question I've not studied, sir, so I don't have a view on it at this time.

Mr Gravelle: OK. Thank you.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Shirriff. I believe my colleague Mr Gravelle has made, with his questions, most of the points I wanted to make. I am especially heartened to understand that you are of the mind or the inclination to support a national securities commission in whatever form it might take, if it's a pan-Canadian regulatory body or whatever form it might take. As you probably are aware, certainly my leader, Dalton McGuinty, has committed to that notion as well, that if we are to be world players, we must effect that type of agreement. We are the only G7 nation that doesn't have that single body, and we do see that as a barrier for investment. So I am especially heartened, and I thank you for taking the time to be with us this morning and to make those points clear for us here.

The Chair: You have time for another question.

Mr Gravelle: If I may, I'm curious as to your thoughts—and feel free to tell me you just don't think it's appropriate—about the potential merger in terms of the Financial Services Commission, which, among other things, regulates the insurance industry in the province. I certainly have concerns as a provincial member up in northern Ontario about some of the extraordinarily escalating insurance rates, particularly for long-haul truckers and everything else. One of the things I often think is that the provincial government or the appropriate ministers probably need to work more closely to deal with some of those insurance increases.

Do you think it's appropriate for the province to play a larger role when the insurance industry, for example, speaks of the increases they need in order to perhaps justify some of their losses, and the impact that can have on the economy? Again, one of the concerns I have is with the escalating insurance rates. I've been trying to submit to the Minister of Finance that he should be trying to get more directly involved in that, to recognize that unless there is some real help, we're going to be losing a lot of people who deliver goods and services, particularly in the forest products industry. I wonder if you have any thoughts on that at all.

Mr Shirriff: I can only say I have not studied the question. It's not instantly clear to me that the regulatory

organization, the Financial Services Commission, would have a direct impact on the insurance rates that are charged, which ought to be based on the question of risk. So it's not immediately clear to me that having the merger of the two commissions, or the non-merger, or any position that the government might take on the issue, would necessarily affect it in any way. Aside from that, I don't think I can make any comment that is worthwhile.

The Chair: We now go to Mr Martin.

Mr Tony Martin (Sault Ste Marie): You obviously have, I take it, great faith in the system that we have in place, that it will work fairly for everybody concerned and that wealth will trickle down, or that it is trickling down. Many of us who had a little faith had that faith rocked with the Enron debacle of the last few weeks, which you've referenced. We've had a few of our own in Canada. We've had Bre-X, where a lot of investors got burned big time. We've had a number of organizations set up to administer people's money. There was a company in Sudbury that got dinged a couple of years ago. We have in front of us here a number of circumstances and situations in this country where insider trading was proven to be prevalent and taking place. My concern is for the interests of the many, many small investors, particularly people who have money in pension funds, who are dependent on that for their income and well-being in their old age, and that in fact this system really does work.

You're saying today, if I heard correctly, that you believe it does and that you'll be able to contribute to making sure that it continues to. Or what am I hearing you saying?

Mr Shirriff: I think the system functions fairly well. Obviously, the system is not perfect. You wouldn't have a Bre-X. You wouldn't have an Enron—we don't have an Enron situation in Canada. Yes, we've had Cartaway; we've had Timbuktu; we've had Bre-X. The dynamic there, I think, and what is under review and has been under review is, first of all, proper auditing and, second, proper disclosure: public disclosure, transparency in disclosure. I'm sure there can be some improvement there.

Third is a question of corporate governance. Where are the directors when these situations are revealed? "Where have they been," is the question. Recently you may have seen the expression "blind sentry defence," which is the director saying, "I wasn't there, and so I couldn't be expected to know." I don't think that is going to be available, if it is available, much longer.

1050

To answer your question in as short a way as I can, the system isn't perfect, but the regulatory authority, the commission, is considering changing the rules, changing the approach with respect to accounting, financial presentation and clarity in financial presentation and in financial statements.

They are also very much involved in the question of corporate governance. Part of corporate governance is your audit committee, making sure your audit committee

performs its function and has enough members on it who are independent of management.

All those things are steps you can take, I think, to prevent a Bre-X situation or a Cartaway situation from occurring. That is what the commission will do, and that is what I would like to aid in doing should I get this appointment.

Mr Martin: What you bring to this position is certainly, I think, a very impressive resumé of involvement within the corporate world of the province. There also seems to me to be a need to have on that board a balance of interests, knowledge and experience from the perspective, as I mentioned before, of the smaller investor and people who have money, perhaps, in pension funds. Can you give me any comfort this morning that you will in fact be able to act in that best interest as well?

Mr Shirriff: I would act in that best interest. I can give you that assurance, not just comfort.

Mr Martin: What knowledge or experience of that would you bring to the job?

Mr Shirriff: I think it goes back to the question that when you make an investment you have to have the information available to know the soundness and value of that investment. Those investments generally are business enterprises of some kind. Pension funds do have their investment managers, and they are usually intelligent, bright people who assess the value of these investments, and if they like the investment, they make the investment. What's incumbent on the commission, I think, and on the stock exchange and other regulatory authorities is to make sure there is an information flow to pension fund managers so they can make a proper evaluation of that investment. That is what has been missing in certain situations.

Mind you, there is no guarantee that you can always prevent fraud. If someone is going to be fraudulent, they are going to be fraudulent. I'm not saying it has existed in any particular case, but if a person wants to commit a fraud and is clever in planning it, he will do so. But the steps the regulatory authorities take, as I say, are with respect to information and disclosure about the business enterprise. The commission is constantly working on that to improve that disclosure. To the extent they succeed, that is always of value to pension fund managers and indirectly will benefit those whose monies are handled by pension funds.

Mr Martin: I'm not sure if this will be something you'll have any control over or influence in, but there is certainly some debate out there today in political circles, and I'm sure in financial circles as well, given the uneven way the economy has evolved, say, over the last 10 years. I come from northern Ontario, where our resource-based economy has really taken a beating and companies like Algoma Steel have struggled to keep their heads above water. My very simple analysis of that is that we're just not attracting the investment we used to any more. Investment is going to other places for a quicker return and into more high-tech, perhaps more interesting, economic activities.

Do you see a role for this commission, or what is your thinking on the question of regulation which would retain in Canada more of the capital invested by Canadians, and direct it into areas of the economy that have actually served us well over many years but are now struggling because they don't have the investment any more to improve technology and take advantage of new opportunities? Any thoughts on that, or do you see the commission having anything to say about that?

Mr Shirriff: I think the role of the commission is to make the capital markets efficient. To the extent they are efficient, people will want to use those capital markets to raise capital. They have to maintain the integrity of the capital market; they have to promote investor confidence. That is what the commission will do. That's its mandate, as I understand it. In terms of directing capital flow, I don't believe that's within the mandate of the commission, and I don't have an answer to that. I think that to the extent there are pools of capital, institutions that wish to lend, and people who wish to buy shares in enterprises for investment purposes, to the extent that you can attract people to those capital pools, you will create investment opportunity. In terms of moving from there and requiring a particular person to invest in a particular sector or retain part of the investment in the country, I think that is a political-economic question that lies outside the mandate of the securities commission. It gets down to a question of your fundamental economic views with respect to capital flows and regulating capital flows. As I say, I believe that is outside the mandate of the commission.

Mr Martin: I think you answered the question of my colleague from Thunder Bay that you hadn't really looked into the issue of whether the capital markets and financial services sector should be combined under one. Perhaps you might venture a thought, given that you will certainly be part of a commission that regulates the capital markets and that may ultimately have some influence on whether the two come together, on whether you see some inherent conflict of interest in putting those two together, given your answer to my last question, which is about people out there with a mandate to lend, versus those who are in the capital markets area.

Mr Shirriff: I don't have an informed view on that. I don't think I have a view that's worthwhile. As I understand it, should a question like that ever come before the commission, then the commissioners would be briefed on it by the staff, and they would have an opportunity to look at the facts and develop a policy. Should a matter like that come before them, I would have to wait until that time before I could offer a worthwhile opinion.

Mr Martin: Just one more question: do you see yourself in any way having—I don't know; I'm just chasing shadows here—any conflict of interest of any sort in taking on this work?

Mr Shirriff: I discussed that question with the chairman. I explained to him that I serve on the boards of several companies—I'm the chairman of the De Beers group of companies in Canada. If I may digress for a moment, it may be of interest to you to know that we

have a rather interesting potential diamond prospect in Treaty 9, which is in part of northern Ontario in the James Bay lowlands, that I think will contribute quite significantly to the general well-being of everybody in that part of the province if the project goes ahead.

If I'm still active in my law firm, should a matter come before the commission in which my law firm is involved, obviously I will not be involved. It would operate the same way if you were a judge or something like that. So I think any potential conflict could be avoided in that sense. Should any of our clients have a matter that is before the commission on a hearing or something, I would just not be involved in that matter. I've discussed that with the chairman. So in that sense there's a potential for conflict but I think the conflict could be avoided.

The Chair: Thank you very much for your questions, Mr Martin. The government has waived its time, so that concludes the questions. Thank you, Mr Shirriff, for being with us today. The consideration of the appointment takes place at the conclusion of the interviews today.

I'm going to be stepping down from the chair to put on a different hat for the next two applicants. I'll ask Mr Gravelle, the Vice-Chair, to take over so that my neutral, non-partisan hat can be taken off.

1100

JENNIFER SMOUT

Review of intended appointment, selected by official opposition party: Jennifer Anne Smout, intended appointee as member, Ontario Municipal Board.

The Vice-Chair (Mr Michael Gravelle): We will move forward with our next selection and call forward Jennifer Anne Smout, an intended appointee as member of the Ontario Municipal Board. You have an opportunity to say a few words to begin the process and then we will begin the questioning, beginning with the official opposition. So please feel free to make a presentation if you wish.

Ms Jennifer Smout: Thank you for allowing me the opportunity to speak with you today here in Toronto. I'm honoured to have been nominated for a position with the Ontario Municipal Board and would welcome the opportunity to serve the province in that regard. I understand that you have a copy of my curriculum vitae but I would like to take a few moments to highlight for you some of my experience and qualifications as they relate to my intended appointment as a member of the Ontario Municipal Board.

I am a lawyer with the Corporation of the City of London legal services department. That means I work in-house with the city of London. My areas of practice include real estate law, land development, land use planning and zoning, expropriation law, condominium law, commercial and real property-related litigation and procedure, municipal law, environmental law, business, corporate and commercial law.

As a solicitor, counsel and adviser to the Corporation of the City of London, I am responsible for making recommendations, directly and indirectly advising city council, boards, the board of control—we do have a board of control in London—standing committees, boards and commissions, our senior management team and various internal departments. I direct and coordinate legal matters within my areas of practice and expertise and I assist with the formulation and implementation of internal policies and procedures.

In my capacity as a solicitor, both with the city of London and outside the city, I have appeared before the Ontario Municipal Board, the board of negotiation, the Ontario Superior Court of Justice and the Divisional Court as well.

I was born and raised in London, Ontario. I attended McMaster University in Hamilton and graduated in 1983 with an honours bachelor of arts. I studied political science and I had a particular interest in Canadian politics, public policy and public administration. I returned to London to attend law school at the University of Western Ontario and I graduated with a bachelor of laws in 1986.

I articulated with the firm Siskind Cromarty, which is now known as Siskind, Cromarty, Ivey and Dowler, in London. When I completed my articles, I attended the bar admission course in London and was called to the bar in 1988. I then returned to work with the firm Siskind, Cromarty, Ivey and Dowler for a few years and then later joined a smaller firm in London: Brown, Beattie, O'Donovan.

When I left Brown, Beattie, O'Donovan, I envisioned starting my own law practice and worked in association with a colleague of mine, Susan Carlyle, in London. While I was developing my own practice, I had the opportunity to complete some work for the city of London on a contract basis, and that started in about 1993. In 1994, I was offered a position at the city of London, full-time in-house. So I didn't spend very long in my sole practitioner days but I certainly did enjoy them.

As you will see from my curriculum vitae, I have a particular interest in teaching as well and I've been an instructor at the bar admission course which is offered in London. I've done that since 1992 and I've instructed in the real property section of that course.

I've also been a speaker, program chair and program coordinator for several continuing legal education programs throughout the province. Those programs have been offered by the Law Society of Upper Canada, the Ontario Bar Association and our Middlesex Law Association as well.

I have been a member of the Ontario Bar Association since 1998. For lawyers, this is a very important organization. We are the voice of the legal profession. It's a volunteer, not-for-profit organization, which serves over 15,000 members throughout the province. I've served as an elected member of the council of that organization, which is the governing body, from 1992-99 and

2000-02. I've also served as an elected member of their executive committee from 1996-98 and again from 2000-01.

So I submit to you today that my qualifications and experience demonstrate that I am a suitable nomination for an appointment to the Ontario Municipal Board, and I do welcome any questions the committee may have of me today.

The Vice-Chair: Thank you very much, Ms Smout. We'll begin our questioning with the official opposition.

Mr James J. Bradley (St Catharines): It is perceived by some that the Ontario Municipal Board in its present constitution—I think that's the correct word—is pro-development. My colleague Mike Colle has a private member's bill before the Legislature in fact to abolish the Ontario Municipal Board because of its pro-developer, pro-business bias. I want to put that on the table so you can see a bit of the direction I'm coming from.

You are from the city of London. I know you'd be aware of the Reservoir Hill case. Reservoir Hill, the park, for the members of the committee who might not be aware of this, sits on a major moraine landform, a major watershed and a source of drinking water. It's environmentally and historically significant land in London, the scene of skirmishes during the War of 1812. That's how significant it is historically. Zoned as open space, the developer who owns the land tried to rezone it to build two 12-storey towers. The residents mobilized to stop the rezoning. The residents won. City council supported them and refused the rezoning. The developer appealed to the OMB and won. City council supported them and refused the rezoning, as we've said, but the developer won at the OMB despite the city and resident objections. The city appealed to the Ontario Court of Justice. Justice Kennedy, who granted leave to appeal, said in his ruling that the OMB panellist, Mr Rosenberg, exceeded his power, denied justice and sided with the developer. This is similar to a court case against the OMB that said the OMB exceeded its jurisdiction when it struck down a bylaw to stop demolition in Ontario.

Since you're from London, what was your opinion of the Reservoir Hill decision by the OMB?

Ms Smout: Mr Chair, I would have to advise Mr Bradley that that decision is currently under appeal. The material has been filed with the Court of Appeal for Ontario. That appeal is still pending, and therefore I feel that it would be inappropriate for me to comment any further or discuss the particulars of that case, either specifically or hypothetically, at this time.

Mr Bradley: You should be in the cabinet with an answer like that. That's usually the type of answer we get from our colleagues in the cabinet. I don't know which riding we can run you in.

Ms Smout: I think appearing before this committee is enough for me.

Mr Bradley: Thank you kindly. I want to deal as well with the Tenant Protection Act. As you know, this act eased the statutory restrictions on condominium conversions, the destruction or conversion of rental housing

by developers, in order to make way for more profitable condominiums. The city of Toronto in 1999 perceived a major problem with the loss of rental housing and everything being converted. They put in a bylaw that said if the vacancy rate was below 2.5% they would prohibit these conversions. The OMB subsequently struck down this bylaw at the behest of the developer on the grounds it conflicted with the Tenant Protection Act. This decision was criticized by the local city council, by Hamilton city council and by Ottawa city council, who had similar bylaws. This decision was also cited by those critics who argue that the OMB is generally biased in favour of business interests. The city appealed to the courts. On February 20, 2002, the Divisional Court ruled against the OMB. The court upheld the legal right of the city council to pass a bylaw regulating the demolition or conversion of rental apartments, rejecting the OMB's ruling that the impugned bylaw was beyond the municipality's jurisdiction and conflicted with the Tenant Protection Act.

Would you be able to comment on that particular case, your opinion of that?

1110

Ms Smout: Certainly, Mr Chairman. I believe the member is referring to the decision for the Goldlist Properties case; is that correct?

Mr Bradley: Yes, it is.

Ms Smout: Thank you. I think first of all, in terms of the particulars of the case, and I'm certainly not here today to offer opinions, my views, with respect to that particular case, should I be successful in obtaining an appointment, it would be inappropriate for me to be offering those comments at this time. But I would say that a quasi-judicial administrative tribunal like the Ontario Municipal Board, for instance, has adjudicators who know that they are bound by higher-court decisions. Certainly it isn't the role of the tribunal to be, in my view, breaking new ground and making new law. Adjudicators are bound by decisions from higher courts such as the Divisional Court or the Court of Appeal or the Supreme Court of Canada. The role of the tribunal and of a member of the Ontario Municipal Board is simply to hear all of the evidence, apply the law correctly and render a fair and impartial decision. As I understand, the Goldlist decision is certainly the state of the law in that area as it exists today.

Mr Bradley: Mr Mazzilli would be very disappointed if I didn't ask the question that we classically ask as the opposition, and that is, are you now or have you ever been a member of the Progressive Conservative Party?

Ms Smout: Yes, I am.

Mr Bradley: OK. I knew you'd be happy if I asked that, Mr Mazzilli. That clarifies some things for me.

The last thing I want to deal with before I turn it over to Mrs Dombrowsky is that there has been a disappearance of agricultural land and environmentally sensitive land in Ontario. In virtually every case I see, the OMB rules in favour of the developer. Certainly in the Oak Ridges moraine they seemed to be pro-development in that particular case. In the town of Pelham there's some

wonderful agricultural land on what is called the Kane, where I think it was 500 acres that were just turned over to development. It should never, never have been done. We're not going to have any agricultural land left in this province, good agricultural land, if that kind of decision continues. So, (a) would you consider yourself to be pro-development in this province, and (b)—I don't know what kind of answer I'm going to get for that—do you think it's important that we preserve agricultural land and not simply turn it all over to development?

Ms Smout: I'm going to answer that question in two parts.

Firstly, I think it really isn't appropriate to be discussing my personal opinions in terms of specific issues or case law or the role that the Ontario Municipal Board has played, but certainly as an adjudicator I understand quite clearly and am prepared to execute my duties in the capacity as a fair and impartial adjudicator. That to me means that you would hear all of the evidence that's put before you, weigh all of the evidence, make a finding of fact on that evidence, apply the principles of law to those facts and render a fair and a just decision.

Certainly I think that if you have reviewed my curriculum vitae, and I did attempt to summarize that in some detail earlier in my opening statement, in the almost 14 or 15 years now that I have practised law, I have spent almost half of that time in the private sector and half of that time in the public sector. That for me is a very fortunate opportunity. It's a unique experience simply in that I have acted for and against developers, for and against landowners, ratepayers and ratepayers' associations, municipalities, expropriating authorities, condominium corporations, lenders and mortgagees, and public and private sector corporations as well. So I have been exposed to these issues from different sides of the fence and different points of view and I've had to make arguments and put cases forward from all different aspects. Therefore, I think that goes back to what I said further, that I'm certainly very much in a position to render a very fair and impartial decision.

On the second question, in terms of the position vis-à-vis the agricultural land, again each case has to be looked at based on its own particular circumstances: what are the policies and procedures that are in place for that area or municipality? The adjudication has to be fair and impartial, and I certainly agree with that. I cannot stress that enough here today. Our legal system is built on these principles and everyone is entitled to a fair hearing, so it's certainly the role of the adjudicator to ensure that all of the evidence is heard, that it's heard within the context in which it has been presented and that a finding of fact is rendered that is fair and impartial.

Mrs Dombrowsky: How much time have I got?

The Vice-Chair: One minute.

Mrs Dombrowsky: Very well. Just further to the point you made with regard to Mr Bradley's question, and you failed to see the relevance of your own personal perspective, I think it's very relevant, particularly given that representatives on the Ontario Municipal Board are

not bound by any precedent. You are directed by law, certainly, but there are no previous decisions of your board that you are bound to in terms of precedent that has been set. So I think it's important to understand what your perspectives are personally. That would, in my opinion, have some effect.

If I could just go to the question I had, you are familiar with the term "direct democracy"; you know the kind of situation that it would reference. I'm speaking specifically with regard to the King City case. Are you familiar with the term "direct democracy"?

Ms Smout: Yes.

Mrs Dombrowsky: Would you be of the mind that a case that would be before you at the Ontario Municipal Board, where there would be an example or a presentation by people within a community in a direct democracy situation—would you dismiss those?

Ms Smout: I think I'll address the statement that was made by the member as well as the question, because I think they really go to the same issue. The issue is, what is my personal opinion on a specific subject, and will that have an influence on decisions that I would render as an adjudicator? I think it's very important for this committee and the public to know that although an adjudicator may have an opinion one way or another on an issue, the role of the adjudicator is not to place their personal opinion on those parties that appear before them. The role of the adjudicator is to ensure that the hearing is fair and to ensure that the hearing is impartial. Certainly, if we don't do that, then our whole legal system breaks down. So that is really what adjudicators and judges do for our society and that's the role they have always played.

In terms of direct democracy and certainly groups or individuals or anyone who makes a presentation to the municipal board, it's the role of the board member to ensure, when those members are before the board, that their evidence is heard and that it's listened to very carefully, it's weighed properly, that the decision is rendered considering all the relevant facts, the evidence that has been put before the board, and that the law is applied properly.

The Vice-Chair: Thank you. Mr Martin.

Mr Martin: Thank you for coming this morning. I have a concern that is somewhat related to the last question, which is your honest admission that you're a card-carrying member of the Progressive Conservative Party. This government obviously has a bias or a bent indicated by the reforms they brought forward to the act of governance of the Ontario Municipal Board, which shifted it dramatically away from some of the approach of the government preceding it, the NDP government, and the fact that a lot of those reforms were driven by municipalities anxious to see development happen, to change the economic fortunes, perhaps, of their communities and to fast-track decisions so that they don't get caught up in the encumbrance of all kinds of regulations that concern themselves with environmental impacts and all those kinds of very important issues.

Given your present job with the municipality of London and given your political connections, how can we be assured here that you don't carry a bias with you that will ultimately affect some of the decisions you will make?

1120

Ms Smout: When I was called to the bar in 1988 and sworn in as a lawyer and a member of the Law Society of Upper Canada, we took a very strict oath, and we have professional obligations as lawyers—I know that some committee members here today are lawyers—that we are to serve the public and serve our clients properly and in accordance with all of the rules of professional conduct. I take those rules of conduct very seriously; I take the rules with respect to conflict of interest very seriously. I always have.

In my position at the city of London, I may or may not always agree with what my client has requested be done. Certainly as a private practising lawyer I may not always have agreed or disagreed with the direction my client wanted to take. But my job as a lawyer has always been to ensure that I have fulfilled my professional obligation to my client.

As a sitting member of the Ontario Municipal Board, should I be successful in attaining that appointment, I cannot stress enough to this committee how serious that position would be to me; that, as a lawyer, I have the greatest respect for the legal system within our country and our province; and that it is essential that the board's decisions be fair and impartial and be rendered such that anyone who appears before the board has a fair and just hearing. Therefore I would submit to you that neither my role in working for a municipality or, in the past, in having worked in the private sector, or any of my political affiliations, would have any impact on those decisions I would make. Again, I cannot stress enough how seriously I would take that responsibility.

Mr Martin: As a member of the Conservative Party, however, do you support the reasoning behind their reforms to this act? Do you agree with what they've done and why they have done it?

Ms Smout: Perhaps I could just ask for clarification from the member. I presume you are talking about the amendments to section 3 of the Planning Act. Would that be correct?

Mr Martin: The initiatives that the Conservative government brought in which replaced the previous government's Bill 163; that's what I'm referring to.

Ms Smout: And, in that regard, the statements "consistent with" or "having regard to" in particular? Is that your specific concern?

Mr Martin: Well, Bill 20, the Land Use Planning and Protection Act.

Ms Smout: Thank you. Again, I don't think it would be proper for me to speak specifically on what my personal opinion would be on those reforms, given that if I were successful, I would have to adjudicate on those issues that would come before me. Certainly I think that's the way the law is, and if the public isn't satisfied

with that, it's open to them to convince the Legislature that it should be changed. I think the most important role for the board to play is to ensure that the public has a place to be heard and that there is an appeal forum from the municipal decisions so that all evidence can be heard and cases can be dealt with impartially.

Mr Martin: OK, but do you have a personal position on Bill 20, and did you in any way participate in the process that took place to actually have Bill 20 implemented?

Ms Smout: I'm not aware that I ever spoke with anyone specifically about Bill 20. As a lawyer, I do recall when the reforms were being introduced. When new legislation is on the horizon or is being discussed, we are always required to review that to ensure that we are informed and will be able to advise our clients properly so that they can perform their statutory functions correctly.

I believe the Ontario Bar Association may have made submissions to the government at the time. I was not part of those submissions, but I was certainly a member of the bar association when those submissions would have been made. But I didn't work specifically on them and I didn't appear before any committees or anything in that respect.

Mr Martin: Do you have a personal position on Bill 20?

Ms Smout: Mr Chairman, I think I've answered that question already and that it really wouldn't be proper for me to be discussing my personal opinion on that section. That's the way the law is today. The Legislature has passed that law, it exists today, and we certainly must work with it and make sure it's applied properly.

Mr Martin: I would disagree, in that we're charged here with trying to get a sense of who it is we're appointing to these very public bodies and we need to understand and feel comfortable and confident that we're applying people who, if they have a bias, at least are upfront about it and putting it on the table; or, if they don't, what their personal position might be on some very important aspects of the act that somebody is trying to adjudicate. So be it; that's your answer.

How did you come to apply for this job?

Ms Smout: I have known for some time that appointments are available to the Ontario Municipal Board practising in the real property and municipal and land-use planning areas. I've known of other lawyers and other appointments that have been made and I've always had an interest in the board.

I did inquire through Minister Cunningham's office about what the process would be to seek an appointment and I was directed to the Web site that the Public Appointments Secretariat has; there's a wealth of information on the Internet site. Some time ago I submitted my resumé through that office, and I also spoke with Mr Dillon in Mr Wood's office.

Mr Martin: Thank you very much.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much for appearing. It will be nice to have someone from London represented on the OMB. One thing that I

think is important, and that you've stressed—often we hear at this committee about bodies that are adjudicated whose decisions have been overturned. We don't often hear about a Divisional Court's decision that has been overturned. Of course we don't take part in that, but obviously if the law is applied fairly, as you have said—and you do take some of your direction from case law, from higher bodies, which you must do; if you don't, obviously you risk the chance of your decision being appealed. Is that why you've answered the question that way, that you have to take the precedents set by the higher bodies?

Ms Smout: There are really two answers to that question. An administrative tribunal has to hear all of the evidence and weigh that evidence fairly. If you've been to a hearing, you know that it's a fairly extensive and an exhaustive process to ensure that it's done properly. Some decisions are a finding of fact and in some instances there is also law that needs to be applied. If there's an error in law, then the decision that the adjudicator renders is subject to appeal, and that's why it's very important when you're sitting in these positions that you must respect the higher court decisions as they apply to the particular circumstances for the hearing that may be before you.

Mr Mazzilli: If you don't respect the higher decisions, then obviously you feel that the position you would take, if it's a personal position—your decision could be overturned.

1130

Ms Smout: Certainly if an adjudicator takes a position that they're not bound by a Divisional Court or a Court of Appeal or a Supreme Court of Canada decision, then there's a possibility, depending on the circumstances, that the decision by that adjudicator could be subject to an appeal; that's correct.

Mr Mazzilli: Again, you probably have not looked at the numbers, but as a lawyer generally do you think the OMB decisions are reversed at a higher level any more than, say, a provincial court decision is overturned at a Divisional Court level?

Ms Smout: I can't say that I've ever conducted any study in that regard and really don't think I could offer a fair comment in that respect. So I don't really think I could answer that; I'm sorry.

Mr Mazzilli: I think you'll be a great contribution to the OMB, so thank you very much for appearing.

Ms Smout: Thank you.

The Vice-Chair: Any other members have questions?

Thank you very much, Ms Smout; that completes your questioning by the committee.

Ms Smout: Thank you very much for the opportunity today.

The Vice-Chair: We'll be determining the situation later on after our next appointee is interviewed. Thank you.

ANDREW WHITE

Review of intended appointment, selected by official opposition party: Andrew White, intended appointee as member, Ontario Media Development Corp.

The Vice-Chair: I'd like to move forward and call forward our next intended appointee, Mr Andrew White, intended appointee as a member of the Ontario Media Development Corp. The members of the committee might be interested to know I've just learned that Mr White's wife is due to have a child tomorrow. I'm not sure if it's your first or second, Mr White. He agreed to come forward regardless of that. So if you get a sudden call, we'll understand.

Mr Wood: We had better have brief questions.

The Vice-Chair: Anyway, congratulations and thank you for being here. Feel free to make a presentation in advance; then we'll begin our questioning with the third party. Welcome, Mr White.

Mr Andrew White: Thank you very much, Mr Chair. Thank you again for allowing me to be here today as you consider my proposed appointment to the Ontario Media Development Corp. I'd be pleased to serve the province of Ontario. I consider it a privilege and honour to be considered to do so.

As the Chair identified earlier, my wife and I are expecting our second daughter tomorrow. I happen to have a pager on my belt, and if it goes off, you'll understand.

I grew up in Ridgeway, Ontario, just outside of Fort Erie, Ontario. My wife and I now live in Chippawa, just south of Niagara Falls. I'm currently the founder and owner of Strategy9, an Ontario company specializing in interactive media, Internet development and database marketing services.

I've been involved with computers my entire life. My first job at the age of 13 was teaching computer programming to an adult education class at a local high school.

My career includes a number of different phases. I attended first-year university at the University of Western Ontario and later transferred to the University of Toronto, where I'm quite proud of the fact that I had the pleasure of holding a clipboard as a backup quarterback for the Varsity Blues for a couple of years.

After school, I started my career as a customs inspector at the Peace Bridge in Fort Erie. I quickly moved to Ottawa with Revenue Canada as a business analyst in the electronic commerce division.

I then moved on to Casino Niagara, where I was responsible for designing one of the most successful casino database marketing programs in the industry. I left Casino Niagara in 1999 to pursue broader experience in the greater Toronto area. After holding senior database marketing positions at Union Energy and the ING Direct Bank, I decided to form my own company.

I joined a team of entrepreneurs in Toronto to create an on-line marketplace where all aspects of digital media could converge. We were backed by venture capitalists

just at the end of the crazy dot-com investment phase. We had an idea whose time it appears may not yet have come. We created a marketplace on-line which was called Brainbanx; it was a place where Internet programmers, content providers, audio producers, video producers, game developers, database engineers and buyers and sellers of these services could find each other.

When I left the company a year later, we had over 500 Ontario companies from all across the province in our system. Unfortunately, the market didn't find the need for this service yet, and ultimately Brainbanx had to change its direction.

Now, at my current company, Strategy9, I help other companies use interactive digital media, comprehensive databases and the Internet to better service their customers. Some of my work has been profiled in many off-line and on-line publications, and I've even been included in an American-based book on demographics and database techniques.

We're growing at a tremendous rate, and we now number over 20 people. Although we're in the Niagara area, most of our business comes from the GTA.

I'm confident that my skills and experience will allow me to make a positive contribution to the efforts of the OMDC and I'm honoured to be considered again for this appointment. Thank you.

The Vice-Chair: We will begin our questioning with the third party.

Mr Martin: Maybe you could begin by explaining to me your understanding of what this corporation does.

Mr White: My understanding is brief. I'm not yet involved with the corporation, but my limited research has taught me that the corporation was created to help foster the growth of these industries in Ontario and create a better environment for them to communicate and interact with each other.

Mr Martin: I think that's a worthwhile thing to be doing and I don't think anybody around this table would disagree. I brought that up just to mention to the members of the governing party here this morning that their leader, their Premier, is on record in northern Ontario as saying that government shouldn't be in the business of creating and protecting jobs, which really in the end is what this is about, creating and protecting work in this industry, which is so important to our economy.

How did you come about applying for this job? How did it come to your attention?

Mr White: I was actually contacted by the minister's office and posed the question if I would be interested in serving in this capacity. That's basically how it happened.

Mr Martin: Which minister?

Mr White: The Minister of Tourism, Culture and Recreation.

Mr Martin: And who would that be?

Mr White: Minister Hudak.

Mr Martin: Is he your member of Parliament?

Mr White: Not where I live in Chippawa, no.

Mr Martin: Are you a member of the Conservative Party?

Mr White: Yes, I am.

Mr Martin: So Minister Hudak suggested that this would be a good appointment for you.

Mr White: Yes.

Mr Martin: Did he explain why he thought that would be?

Mr White: Yes, he did. Based on my background and experience on the interactive side, the Internet side of this type of business, he suggested that the board could use more representation from my area of work, my area of expertise, in that I fit the profile of what he was looking for.

Mr Martin: Do you think you fit that profile? How do you see your expertise and background helping you determine which companies should and shouldn't get tax credits?

Mr White: Well, I don't know much about giving tax credits as I sit here today. My experience with different companies in the interactive media world and digital media I think is rather extensive. I've been working in the Internet business since 1995, which in terms of the industry is fairly lengthy, and I believe I have considerable knowledge in the area.

The Vice-Chair: The government members, any questions?

Mr Wood: We'll waive our time.

The Vice-Chair: The official opposition.

Mr Bradley: I'm always intrigued by the questions. First of all, Mr Martin asked about your relationship to the Conservative Party and who suggested that you get this job. Your member would be Mr Maves in Chippawa. Did Mr Maves suggest that you apply for this job?

Mr White: No, he did not.

Mr Bradley: So it was Mr Hudak's office that contacted you. Have you ever done any work politically for either Mr Maves or Mr Hudak?

Mr White: Not for Mr Maves, but I have for Mr Hudak.

Mr Bradley: Have you ever made a financial contribution to the campaign of either of those individuals?

Mr White: Yes, I have.

Mr Bradley: I noticed that when you worked in the casino area, there was some marketing you did that would draw people back. The observation of some people is that many of the people who show up at gambling establishments in the province would be better spending their money on their families or on something that would be of value to their families. I know the family-values members of the Conservative Party would probably agree with me on those matters.

Who were you aiming at, when you were in that position, to draw back to the casino time and again to spend their money—hard-earned dollars—at the casino?

1140

Mr White: That's a difficult question to answer specifically, because I don't know any of the customers we were going after. Typically we were looking to

increase business in Niagara by communicating with our best customers.

Mr Bradley: To draw them back time and time again?

Mr White: To a limited extent, I guess, yes.

Mr Bradley: What is your opinion, in terms of competition, of what I call the backdoor casinos; that is, the racetracks that used to be racetracks but now feature slots? Is that competition for the established, well-known casinos such as Niagara Falls and Windsor and Casino Rama? Would you consider that to be competition, and would you consider to be quasi-casinos what exists, for instance, at Fort Erie and Woodbine and other race-tracks?

Mr White: There are slot machines at Fort Erie and Woodbine, and there are slot machines at the commercial casinos. I think you could suggest that in a way they're competitive, and in other ways they may not be. They perhaps attract different types of customers.

Mr Bradley: I have this theory—I don't want to say "conspiracy theory," because it makes one sound way out—that the Ontario government is sneakily moving toward Internet gambling. Having bled as much money from the desperate, the addicted and others who sometimes show up at gambling establishments and shouldn't, having bled almost all of that out of them, they see yet another way: Internet gambling. I notice you had some experience in Internet endeavours. Do you see a role for the Ontario government in Internet gambling?

Mr White: As far as I understand right now, it's not a legal business venture and Ontario's role in it right now is preventing it from happening.

Mr Bradley: From your experience, would you say it appears to be a natural evolution that the Ontario Lottery and Gaming Corp would like to make legal what is now illegal and make even more money from gambling?

Mr White: I don't know. I haven't really looked at that area from a philosophical point of view. From what I know technically, I don't think the Internet really is there yet for that kind of business to be going on here right now.

Mr Bradley: Well, you heard first in this committee my prediction that that's what they are trying to dream up with their whiz kids behind closed doors. Anyway, Mrs Dombrowsky has some questions.

Mrs Dombrowsky: I'm curious about some statements you made in answering Mr Martin's questions when he inquired about why you might have been approached to participate on the Ontario Media Development Corp. You responded that it was your sense that it was because of your background and expertise. Yet as I have reviewed your curriculum vitae, I see that you have a rather extensive background in marketing and database support, but I really haven't found anything in your background, even in the area where you talk about "other items of interest" or where you might have indicated some hobbies or personal interests, where you have been particularly interested or had experience in the entertainment field. I guess I'm really wondering what you

believe you will bring to this role from your personal experience.

Mr White: I think that in many people's eyes, much of marketing is about entertainment. My three years at Casino Niagara are all about entertainment. Most of my work right now is dealing with clients who are interacting with consumers and generating entertainment-type activity, both on and off the Internet. And I believe my experience with Brainbanx brought me very close to all sorts of companies—over 500 companies—that produce and create this kind of creative digital content in Ontario right now. I think I've been around the industry quite a bit.

Mrs Dombrowsky: Then you would know that in recent times that particular industry has experienced declines in the number of productions and in the number of dollars spent. Given your experience in marketing, what would be your ideas to address this decline? What recommendations would you be presenting, as a member of the corporation, to address these declines?

Mr White: Not being a member of the board and the corporation right now, I don't think I have enough knowledge to make suggestions on how to do it. As far as business declining, it appears there are many reasons for that, and I don't know that I've been briefed or have studied the situation enough to be able to answer your question.

Mrs Dombrowsky: This is a relatively new corporation. What background, what material have you received so far, either on your own or from the government, from the ministry, on the role you will have?

Mr White: Very little on the role I would have. I've received press releases concerning the creation of the corporation and documents describing what the role of the corporation is and the different industries and the different tax credits it administers.

Mrs Dombrowsky: But you haven't had any more background than that. You know it does replace a body that already existed that did administer the tax credits you've made reference to, but Mr Eves would suggest it is different and that it will do more. Has that distinction been explained to you?

Mr White: No, it hasn't.

Mrs Dombrowsky: That concludes my questions.

Mr Bradley: Is there time for more questions?

The Vice-Chair: You've got one more minute, Mr Bradley, if you want to use the time.

Mr Bradley: You said you worked on the Fort Erie bridge. What year was that?

Mr White: I started there as a summer student during university.

Mr Bradley: What year would that be?

Mr White: I started in 1987, and I left Revenue Canada in 1994-95.

Mr Bradley: You followed in Mr Hudak's footsteps, then. I think he worked on the bridge as well at some period. Either he followed in your footsteps, or you followed in his footsteps.

There are people who say you get jobs on the bridge because of political patronage. I don't believe that, but do you think your support for the Conservative Party had any influence on the fact you were able to obtain that summer employment?

Mr White: Absolutely not.

Mr Bradley: OK. I just wanted to be satisfied on that.

Mr Bert Johnson (Perth-Middlesex): I drove across it.

Mr Bradley: There's patronage again.

The Vice-Chair: Thank you very much, Mr White.

We will now move to the voting process, and I will vacate the chair and return it to Mr Bradley.

The Chair: I now put on my neutral hat again and put the right sign in front of me.

We have heard the three individuals—I have a little bit of business after we consider these, which I'll discuss with the committee. We have three individuals who have come before us today for consideration, and I'm going to entertain motions on these.

The first is Robert Shirriff, intended appointee as member, Ontario Securities Commission.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in this appointment. Any discussion?

All in favour? Opposed? The motion is carried.

The next was Jennifer Anne Smout, intended appointee as member, Ontario Municipal Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? Mr Martin, and then Mrs Dombrowsky.

1150

Mr Martin: I was concerned with the evasiveness of the answers to what I thought were very important questions from both the Liberal members and myself as we tried to develop some level of comfort around this appointment, and the very neutral and unbiased position that we would hope an appointee of this sort would bring to this position.

I don't think you can ever separate your political affiliation and alliance, which in this case, by her own admission, is of the Conservative Party, which is fine; we have no problem with that. But when it then has the potential to interfere with or influence decision-making in an area that is of tremendous significance and very sensitive in the world that we now live in where land becomes more and more valuable, particularly in those areas that it's difficult to put dollars signs on—the environment and our need for good agricultural land, etc—I'm not comfortable enough to vote in favour of this appointment, so on behalf of our caucus I will be voting against it.

Mrs Dombrowsky: I too will be unable to support the appointment of Jennifer Anne Smout. I was very disappointed that the intended appointee was, in my opinion, less than forthright. I respect that there were perhaps some questions to which it was appropriate that she would indicate she would not offer an opinion, but when asked about her personal opinion on other matters,

I think the members of this committee do have an obligation to determine the type of person, the mindset and the background they would bring to the role they would have on this very important board.

I know that the intended appointee did reference—I think it's because of her experience as a lawyer—and talk about being governed by laws. We all know as well that in the courts they are especially governed by jurisprudence and legal precedent, which is not the case with the Ontario Municipal Board. As we've read in our background, many decisions at the board may not be consistent with decisions the board has made in the past on matters of a similar nature.

Also, at the Ontario Municipal Board a quorum can consist of one individual, so we have one person who would be able to make a decision that would be before that individual. I think it's very important that we would have some sense of the background, the mindset and the inclinations of an intended appointee.

That Miss Smout was not interested in sharing her personal perspectives on various issues prevents me from being able to support her in her appointment.

Mr Mazzilli: I will be supporting the appointment of Jennifer Anne Smout.

I've heard from the opposition that they felt she was being evasive and so on. I think the one thing that has been totally overlooked is that she said that a fair adjudicator should not have any opinions, should conduct a proper hearing, and is bound by higher court decisions, which certainly in her opinion makes a good adjudicator. We don't often think of the consequences of offering personal opinions in these committees, but had she offered personal opinions on all of these issues, if a decision were to be appealed, all the Hansards could come out and that becomes part of the evidence in the appeal.

I think she handled herself quite well and said that what she will do is listen to all sides and apply the law fairly, and if members of this Legislature want to change the law, certainly we have the power to do that, based on what we hear from our constituents. So I will be supporting the appointment on that basis.

The Chair: Any other further comment from any member of the committee? If not, I will call the vote.

Mr Martin: Recorded vote.

The Chair: A recorded vote is requested by Mr Martin.

Ayes

Johnson, Mazzilli, Munro, Wood.

Nays

Gravelle, Dombrowsky, Martin.

The Chair: The motion is carried.

Next is the intended appointee as member of Ontario Media Development Corp, Mr Andrew White.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in the appointment. Any discussion?

Mr Martin: I won't be able to support this appointment either, in that it's another in a series of very obviously political appointments. All of us who have been in government know that we appoint a fair number of people from the various political persuasions in the province. But over the last number of months, as we've sat here and considered people who have been brought before us, designated by the cabinet to sit and oversee some of the public activity of this province, more and more, we detect, I think, an undue influence by government members and the government itself in trying to—looking at the last appointment—overstate their unbiased background, experience and approach to these things when in fact we know that's not the case. The government is trying to move further and further into the actual day-to-day operation of the public services of the province and those bodies that oversee, adjudicate and hand out money on behalf of the government, which I think needs to be less biased than what we're seeing.

A week or so ago, we had an appointment here that was very troublesome even for some members of the government side: somebody who was brought forward by Mr Gilchrist to sit on the Environmental Review Tribunal and ultimately got passed because the government decided they were going to do that. In spite of reservations by some members of the government themselves that maybe it wasn't a good appointment, that happened.

Today we have one appointment that came to us through Mrs Cunningham's office, with some support by Mr Wood and his office. Now we're considering another appointment: somebody who was recommended by the actual minister himself who oversees this piece of public activity to sit on a board that gives out significant amounts of money to support economic development and the creation of jobs in this province. That person being active and having contributed to the campaign of the minister himself I think should run up a red flag for all of us here as we make a decision about that appointment. So I won't be supporting this appointment.

The Chair: Any further discussion? If there's no further discussion, I'm going to be calling a vote.

Mr Martin: Recorded vote.

The Chair: Mr Martin has requested a recorded vote.

Ayes

Johnson, Mazzilli, Munro, Wood.

Nays

Dombrowsky, Gravelle, Martin.

The Chair: The motion is carried.

I should add at this time to Mr White that we as a committee all wish him well in his upcoming family

matters. We wish you very well and the very best of luck and all happiness in the world that will be forthcoming tomorrow, if that's the appropriate date, or later.

That concludes the appointments review.

COMMITTEE BUSINESS

The Chair: We now move to agency review proposals as the next matter before the committee. I'll ask Mr Gravelle, who put his hand up, to speak to it. Does anyone else wish to speak to this? Mr Martin wishes to speak to it.

Mr Gravelle: Thank you very much. Certainly we were given an opportunity to make our case for a review of an agency at this session today. I want to put forward my argument and recommendation that we call forward the community care access centres as an agency review.

I think the function of this committee is most commonly to, obviously, review appointments made by the government. It's an important role, but I think perhaps an equally important role for us, on occasion, is to have the opportunity to bring forward an agency review, particularly so when there have been substantial changes in the way that agency operates. There is no question in my mind, and I hope that the government members agree because it is my understanding we will need their support to have this done, that the whole delivery of health care in our province has obviously changed a great deal. When the community care access centres were first brought forward, I think it was in January 1996 by then-health minister Mr Wilson, we had some concerns as well about how they would operate. I certainly expressed those concerns at the time. The community care access centres I think came into full action mode, so to speak, in January 1998 and in many cases managed to become agencies that were represented strongly by people in their communities, people who were advocating for health care.

1200

It needs to be remembered and I think noted that one of the reasons the government itself has put forward for the establishment of these agencies was that they felt, with the restructuring of the health care system and with the reduction in the number of acute care beds in the system, that home care was going to be very much a solution, an answer, to a lot of the problems. They were going to, as it turns out, move people out of the acute care system more quickly, and I think in some cases that was not a particularly good idea. One would at least hope that a system would be put in place that would actually allow the services to be provided.

What we saw with the community care access centres was that the clientele was very much changing, that as we progressed from 1998 to 1999 to 2000, the needs were changing in terms of the people who were receiving care. People who had been asked to leave, forced out of the hospitals, in fact, were receiving acute care very much through the community care access centre.

There are many concerns related to this that we spoke about in the Legislature, and the government responded in the Legislature, but ultimately what it came down to was that the needs continued to increase and the resources unfortunately didn't keep step with that. I would hope that the government members would agree that it's important for the public, the people of Ontario, to have an opportunity to have a review of the community care access centres done.

In the last I guess almost nine months I recall the first indication that the government was going to be freezing and ultimately cutting back funding for community care access centres and the home care sector. It was in June last year—maybe it was even earlier; maybe it was in late May—that I recall becoming very much aware of that and expressing concerns as a member, as did our leader and our caucus and as did the third party. That's what it became. The public wasn't as aware of it then, but I recall it because, as it turns out, the Premier was going to Thunder Bay—I think it was June 14; I recall the exact day, in fact—and I wrote him and begged him to meet with the CCAC in Thunder Bay, which was expressing great concern about the cutbacks. This has continually fallen on deaf ears, unfortunately. The fact is that the situation became more grim when we hit September and it was clear that there weren't going to be any more funding improvements, despite what I thought was the very clearly demonstrated need in terms of the increased client base and the fact that we had people who needed to receive the services. So this obviously became a major issue.

We were pretty shocked, I think it's fair to say, when the province—the government and the ministers involved, Mr Clement and Mrs Johns—basically did not like having the community care access centres, the members of the board and the agency and sometimes the executive directors, expressing concerns themselves, and I think as a result of that we got the Community Care Access Corporations Act, which was forced through the Legislature in mid-December, which basically gave the government complete control of the corporations and was a means of trying to blunt any dissent.

Regardless, the government's response has always been, "Look, you shouldn't be complaining. We've done a great deal. We've put lots of money into this," and I'm sure that will be the response again. My point in asking for this is really, quite frankly, in some way to take the politics out of it. I think it's important that we assess what has happened, that we take a look at what happened in the past and that we have an opportunity to look at the organization in terms of the changes they've gone through and the new structure that's in place. Certainly we've expressed concern about the fact that the new members of the board and the executive directors are appointed by the government and in many cases are appointed for a period of time that doesn't allow them to be called forward by this committee. In fact, no certificates have been issued for us to see. So that has been a real frustration.

Having said that, I think the real issue here is, let's look at the agencies and see how they run, what challenges they've had, what their needs are. I think we need to call former executive directors and former board members. I'm interested by the fact, certainly in Thunder Bay, for example, that the former chair of the board, Mr Don Murrell, who is a wonderful gentleman, has accepted the responsibility of being the new chair of the board. I shouldn't speak for him—I was pleased that he accepted that—but I would be interested in having his perspective as a former chair and as the present chair.

I think it's the responsibility of all of us here who are members of this committee to allow that to happen. I think the public deserves to have some insight into what has happened. That's why I would be calling for the agency review and, specifically, I would be happy to call forward the District of Thunder Bay Community Care Access Centre. I have spoken to enough people on the government side who have indicated a number of things about it that I'd like to talk to them about as well. So that would be one. I know we've talked about the Sudbury Community Care Access Centre as well, another good one to call.

I would like to make my plea to the government members to see this as being a responsible thing for us to do, something that needs to happen and a review which hopefully will give us some answers to a lot of the questions and concerns we've had for some time.

Mr Martin: I'm not going to be too long, just to say that from the work Mr Pond, the legislative researcher, has done—and I want to thank him for doing a very good and concise job, giving us all the relevant information that we need—it's incumbent on us, given the significant change that has happened in the delivery of this very important service to literally hundreds and hundreds of people across the province in all of our constituencies, that we review at least a couple of these agencies to get a sense of what's going on, how this is evolving and why, and if it's in keeping with the overwhelming public feeling out there that health care be provided to citizens wherever they live in a way that reflects access and convenience and no level of financial hardship on them.

Having said that, I certainly would support Mr Gravelle's suggestion and, when I'm finished, I will put a motion forward that the committee consider reviewing a number of the community care access centre agencies once the House has come back, because I think we're governed by the rules, the orders that govern this place. I hope the Conservative members, in keeping with the way this committee has always worked, would agree that when any one of the caucuses brings forward a request to review an agency, we should all co-operate and do that.

The other, more important, piece of activity here is what is now presenting as the government's—I don't know what the heck they're doing—skirting around a long-standing process in this place where, as Lieutenant Governor in Council, you make an appointment, there's a certificate issued and we get to review whomever we choose to bring before this committee to see why that

appointment was made, to see if those people are appropriate. At one point it was suggested that the reason those certificates weren't coming forward was because they were for a year or less, but from the research that was done by legislative research, we're told that that isn't necessarily so, that the appointments were actually for a year to three years.

Anyone looking at this information must agree that we now have a different organization in place here. Where before we had a board of directors nominated and brought forward representing their communities, those boards, the membership of which elected their chair and vice-chair, have been changed now to a more corporate structure, where the Lieutenant Governor in Council appoints all members of the boards of directors as well as the executive directors of the centres, and a number of the members on each board are at the government's discretion, and then the cabinet designates the chair and the vice-chair. So this is no different now than a whole lot of other agencies, boards and commissions that this government appoints people to and oversees and regulates.

1210

It seems to me that we need to challenge the government, as a committee, so that we can do our work, as charged in the orders in council, to review appointments. There's nothing now, if these appointments are being made to run from anywhere from a year to three years, to get in the way of our requesting that. So could I ask the Chair, perhaps with some advice from the clerk, if in fact it's appropriate for us to send a message to the government, to cabinet, that now, in making these appointments, because they are Lieutenant Governor in Council appointments, they issue certificates and we have access to those so we can call people forward. I'll wait to see if I get an answer on that. I'm not quite finished yet.

The Chair: I will read some relevant material here that says, "The starting place for the government agencies committee is the certificate it receives from the Public Appointments Secretariat. It does not ferret out appointments that should have been referred but weren't. Likewise, there is no way that a Speaker could possibly be in a position to determine which intended appointments should or should not be referred to the committee." That was April 30, 1997, Speaker Stockwell's decision.

Mr Wood: I just want to comment on that. I think that's a fair interpretation of the standing orders of the House, but if there is an appointment that comes to the attention of any member of the House that appears to contravene the rules, I would certainly like to hear about it because I would like to pursue it.

The standing orders, as I understand it, require a certificate to be given to this committee, where a certificate is required, and the appointment cannot be given to the Lieutenant Governor until the committee process has happened. So if any member is aware of a situation where that hasn't happened, I'd certainly be interested in knowing about it.

Mr Martin: Mr Chair, in response to your comments, that statement was made back in 1997, which was before the new bill that was passed and brought into being—

The Chair: The bill referring to the CCACs?

Mr Martin: Yes, that's right. He was referring to appointments under a different regime where they weren't Lieutenant Governor in Council appointments. Mr Wood, we have a completely different scenario here, where now we have appointments being made by cabinet through the Lieutenant Governor as orders in council, and why those aren't being forwarded to the appointments secretariat for certificate and then brought to us is beyond me. I think the ruling being referenced here is now invalid and we should be asking for another ruling. We should be going forward to wherever, and I am at somebody's direction here, to impress upon the government—and I agree with you here, Mr Wood—that we have in fact a circumstance where the rights of members are being circumvented because we're not getting the certificates that should actually be coming forward, because these are obviously now appointments by the Lieutenant Governor in Council.

Mr Wood: If I could clarify my comments, to the best of my knowledge the standing orders are being followed. I'm inviting any citizen of this province who believes there's been a case where the standing orders haven't been followed to tell me about it, because I'd be interested in knowing and I will pursue that. As far as I know, the standing orders are being followed. I think the ruling of the Speaker is correct and is binding on the committee.

Mr Martin: In my view, they're not being followed and I would ask for direction.

Mr Wood: Give me the details. You don't have to do it now, but tell me where the standing orders are not being complied with. Give me an instance.

Mr Martin: You obviously have the Lieutenant Governor in Council appointing members to the boards of directors, as well as the executive directors of these centres. Isn't that how other certificates wend their way to this committee?

Mr Wood: Give me an instance where an appointment has been made and the standing orders haven't been followed. Tell me the name.

Mr Martin: All of the appointments that have been made so far under this new bill to the CCACs, whether they be members or executive directors, are in contravention, in my view, with the standing orders, which is that all appointments by the Lieutenant Governor in Council come under the purview of review by this committee.

Mr Wood: No, they don't.

Mr Gravelle: We certainly have gone through this a couple of times. It's very frustrating, but it seems to me the standing orders, which we may or may not like, say that if the appointment is for a year less a day, then there is no need to provide a certificate. Is that correct, Mr Clerk? But what seems to be in contention as a result of some of the material is the possibility, Mr Wood, that some of the appointees have been for more than that year.

That would suggest it would contravene the standing orders.

I don't know. I think it would be fair to ask you if you could pursue that with the appropriate people to see whether any of the appointments have been made for more than a year. It seems to me, based on my understanding, that that would contravene the standing orders, because the standing orders make it clear that if it's more than a year, a certificate should be coming forward to the committee. Yet there seems to be a suggestion that that may be happening, Mr Martin, and indeed some people are being appointed for more than a year.

Mr Martin: It says the appointments are to be for one to three years.

Mr Gravelle: That's right.

Mr Martin: That's being disrespectful of all of us here.

Mr Gravelle: That's what we need to find out. Rather than you suggesting to us that we know the name—I'll certainly do my research as well, but I think it would be fair for us to ask if you would ask whether or not any of the appointments are for beyond a year. If so, that would be something that we should all be concerned about.

Mr Wood: I am aware of no contravention of the standing orders.

Mr Gravelle: I know you aren't; I appreciate that.

Mr Wood: I invite those who think they might be to tell me about it, and I'll see what I can do about it.

Mr Gravelle: But don't you think it's fair for us to ask you, as the whip for the government in terms of this, to at least ask that question of the people who are making the appointments? As I say, we'll do our work and we'll try to find that out, if that's the case. But I don't think it's inappropriate for you to check to see whether or not indeed some of the appointments are beyond that one-year period of time.

Mr Wood: I will see what I can find out.

The Chair: Mr Wood has agreed to see what he can find out. I'm going to ask the clerk to add any comments he deems appropriate in this particular case, and then I'll go to Mrs Dombrowsky.

Clerk of the Committee (Mr Tom Prins): The standing order governing this committee is 106(e). I think the little section we were discussing, which has maybe been brought up a few times, is saying that the committee can look at intended appointees "excluding re-appointments and appointments for a term of one year or less."

The Chair: The matter of contention that we have before us is the matter which members have drawn to the attention of the committee, and that is that in fact some of the appointments in regard to the CCACs are one to three years and not necessarily one year. I have listened to the debate and Mr Wood has agreed that he will try to determine what he will try to determine, and that is whether indeed there is a contravention, if I'm reading it correctly; whether there are any appointments out there that are being contravened. He has no more access, probably—or he may have more access; I don't know that—than any other member. Mr Wood has also invited

members of the public or members of the Legislature to direct correspondence or to make inquiries of the government or to level a charge, I guess, if we want to say that.

Mr Wood: Give me a name, if you'll pardon the way of putting it. I need a name of an appointment that contravenes the standing orders.

The Chair: That would lead me to believe that if any member of this committee, for instance, happens to know someone who was appointed recently to one of the CCACs in the province and that particular appointment contravenes the rules that we have before us in that it is for a period of longer than a year and would appear to fall within the purview of the appointments that would come before this committee, that should be drawn to Mr Wood's attention. He has kindly agreed that he will pursue that if one can provide him with that specific name.

Also, there is an avenue for others on the committee or elsewhere to direct correspondence to the Premier, to the cabinet secretary, to the secretary of appointments, to the minister, to whomever a member of the committee deems appropriate to send it to.

1220

I have read Speaker Stockwell's decision, and while I recognize that it is previous to this bill passing the House, it nevertheless seems to govern this committee. I think most members are probably aware of it, but I want to perhaps read a little more of it to us so it puts it in context of what we're talking about.

The Speaker said as follows—and this was on April 30, 1997—"Yesterday the member for Dovercourt, Mr Silipo, raised a point of order with respect to standing order 106(g) concerning the referral of intended appointments to the standing committee on government agencies. The member suggested that certificates of intended appointments to the transition team and the financial advisory board provided for in the City of Toronto Act, 1997, should have been referred to the government agencies committee.

"The member for Dovercourt may in fact be correct. It may be that these two bodies are defined as agencies, boards or commissions, and that intended appointments to them are subject to committee review. However, there is no way that I as Speaker can make that determination.

"As the Minister of Municipal Affairs and the government House leader stated yesterday, there are numerous examples on the record of appointments made without referral to the government agencies committee. The fact is that the government defines what is an agency, board or commission, and it is the government that knows of its own intent to make an appointment. The starting place for the government agencies committee is the certificate it receives from the Public Appointments Secretariat. It does not ferret out appointments that should have been referred but weren't. Likewise, there is no way that a Speaker could possibly be in a position to determine which intended appointments should or should not be

referred to the committee. Therefore, I don't find your particular point of order in order."

Now, the decision of the Speaker may have pleased some, may not have pleased others; it may have left others in a neutral position. That was the decision of the Speaker on April 30, 1997. Whether members of this committee like it or not, it appears from this, the Speaker's ruling, that the government in fact determines which appointments it is going to send to this committee.

Members of this committee, however, have a belief that some of the appointments might well fall within the purview of this committee. What we're trying to determine now is how best to have those appointments come before the committee, and each one of us has the opportunity as a member of the committee to communicate on our own, or the committee can communicate in general.

Mr Wood as a government member of the committee has given an undertaking, as we understand it, to look into any appointment of a specific individual that a member may allege should fall within the purview of this committee, and he is prepared to pursue that. As I've already indicated, each member of this committee also has an opportunity to communicate in some way with the Public Appointments Secretariat, or others that I have mentioned previously, concerning this matter.

That appears to be where we are. I'm interested in any further comment, however. I have Mr Gravelle and Mrs Dombrowsky.

Mrs Dombrowsky: I would like to speak to Mr Gravelle's initial statement.

Mr Gravelle: May I say, Mr Chair, there's no question that what we are discussing now is ultimately one of the reasons why we are very clearly thinking that a way to deal with this is to have an agency review. Obviously we'll do our work to try and determine whether some of the things that have happened have happened or not, but that's why I think it's so important—because it appears we're not able at this stage to bring them forward—that an agency review makes a great deal of sense. I do hope the government members acknowledge that and agree that indeed it would be good for all parties in the Legislature and the public in general to have an opportunity to see how the agencies are working. In that it appears so far that we don't have an opportunity to call forward any appointees to the new corporations, then I would hope that would just give all members of all parties more reason to support the proposal.

Mrs Dombrowsky: Yes, I would like to support Mr Gravelle's request for this committee to review community care access corporations, as I believe it is an issue of accountability.

We have now 41 newly established agencies, corporations within the province of Ontario, which are made up of people who have been appointed by the government, and there is some question about whether those individuals will even as much as have a job interview, if there will not be a certificate issued and they will not appear before this committee.

We are talking about 41 newly formed agencies which will be responsible for the management of upwards of \$1.2 billion of taxpayers' money, and I think it is extremely appropriate that there would be a body or a group of people from all parties who have an opportunity to review the operations, the priorities of these newly formed agencies. I'm sure members of the government, certainly members of all parties of this Legislature, will recognize the number of calls that come to us as individual members of the Legislature around the services that are provided or perhaps are not provided by these agencies within our communities.

It is important that we would have the opportunity to understand how the corporations set their priorities; how they receive their funds; if there are shortfalls, how they are compensated for, how cuts are made. It would be important for us to have this information so that it is a matter of public record and so that people within Ontario have an understanding as well. It's taken over five years for people to understand the role of community care access centres. With the passage of the most recent bill in December, there's a question about how services will continue to be administered.

In my opinion, this is about accountability, and I support Mr Gravelle's request that this committee would have community care access corporations come to tell us about how they will be managing upwards of \$1.2 billion of taxpayers' money.

Mr Wood: What I'd like to suggest, Mr Chair, is this. The government members would like to digest the various comments that have been made by the opposition members, with a view to possibly drafting a motion for the consideration of the committee at the next meeting. I'd like to suggest this matter be put on again for consideration at our next meeting, with a view to then taking a look at actual motions. There may be some interest in our motion if we choose to put one forward; other members may wish to put motions forward. But I wonder if it would be a good idea to consider them all at one time with a view to a decision coming out of that meeting.

The Chair: Comments from any members of the committee in regard to that suggestion?

Mr Gravelle: If what you're suggesting to us is that you're likely to support via motion some measure of review if we manage to put it off to the next meeting, if you're making that suggestion, I'd be curious to know that is the case, because obviously I'd love to get some sense as to whether there is agreement that indeed we should be bringing forward agencies.

Am I right, Mr Clerk, that if the government says no, this thing could stop right here, in other words? I do want this to go forward and I'm sure—

Mr Wood: If we were going to do that, we'd do it right now.

Mrs Dombrowsky: I support what Mr Wood has proposed.

Mr Gravelle: OK. Based on that, I think I support it as well.

The Chair: Mrs Dombrowsky has supported Mr Wood's suggestion. Mr Martin?

Mr Martin: Given that we won't be able to review these agencies until the House comes back anyway, because those are the rules we're living under, I'm certainly more than happy to allow the government members time to digest and come forward with some suggestions, and we can bring our own suggestions forward. But I think it's also incumbent on all of us to try to figure out how we get the government to do the right thing here.

Mrs Dombrowsky is absolutely correct when she says it's a question of accountability. These boards are not only administering a significant amount of money but they're overseeing delivery of public services that are of very delicate, severe and critical concern to literally millions of people across this province. So hopefully we will at the next meeting come to some resolution on this so that we can hold this government accountable and use the vehicles that we have here, however limited they may be, to actually dig into some of these things.

The Chair: Any other comments?

Mr Wood: I would like to move that this be put on the agenda for the next meeting of the committee.

The Chair: We have a motion from Mr Wood that this matter be put on the next agenda. Any discussion? All in favour? Opposed? The motion is carried.

We have the matter of future meetings and any needed extensions. I know this can be something done by the subcommittee. Let me throw out a date for members of this committee now to see if perhaps it is acceptable. We ordinarily have met on Wednesday; today is a Tuesday. Is Wednesday, April 3, out of the question for people or not?

Mr Gravelle: After Easter. That sounds good to me.

The Chair: That's after Easter. It gives the research department an opportunity, it gives Mr Pond an oppor-

tunity, to gather the material together for us, and it gives us a couple of weeks. If it's an acceptable date, we may be able to proceed with that date.

Mr Martin: I was thinking maybe this Saturday.

Mrs Dombrowsky: In Sault Ste Marie.

Mr Martin: Sure, we'll do it in the Soo.

The Chair: The suggestion of this Saturday does not appear to meet with the—

Mr Wood: Or before 8 in the morning, if you want.

The Chair: "Before 8 in the morning," says Mr Wood. Any other comments?

Mr Gravelle: April 3 certainly works for me. Then we'd be back on schedule. I think we have a lot of appointees.

The Chair: There are quite a few appointments, so it would be an all-day session, unless we went to two. What I have heard from members of this committee, if I interpret it correctly, is that members prefer to try to do it in one day, if they can, as opposed to setting up two different days. So we have a consensus for April 3 as the next meeting, at 10 am.

What about extensions, Mr Clerk? Are there any problems with extensions at all?

Clerk of the Committee: If we can manage to schedule all the people on the 3rd, we don't need an extension. But if one of them can't—

Mr Wood: We'll deal with extensions if we have to.

The Chair: Thank you, Mr Wood, for your co-operation in that matter. So the meeting will be April 3 at 10 am. We will have the intended appointees before us at that time.

Any further business for the committee? If not, I'll accept a motion of adjournment. Mr Martin has moved a motion of adjournment. All in favour? The motion is carried.

The committee adjourned at 1232.

CONTENTS

Tuesday 19 March 2002

Subcommittee reports	A-351
Intended appointments	A-351
Mr Robert Shirriff	A-351
Ms Jennifer Smout	A-355
Mr Andrew White	A-359
Committee business	A-363

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mrs Julia Munro (York North / -Nord PC)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

A-24



A-24

ISSN 1180-4335

Legislative Assembly of Ontario

Second Intercession, 37th Parliament

Assemblée législative de l'Ontario

Deuxième intersession, 37^e législature

Official Report of Debates (Hansard)

Wednesday 3 April 2002

Journal des débats (Hansard)

Mercredi 3 avril 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 3 April 2002

Mercredi 3 avril 2002

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): I'll start the meeting this morning. Good morning, members of the government agencies committee. The first item of business we have is the report of the subcommittee on committee business dated Thursday, March 28, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

RICHARD WOODFIELD

Review of intended appointment, selected by official opposition party: Richard Woodfield, intended appointee as member, Social Benefits Tribunal.

The Chair: We'll begin our appointments review now with Mr Richard Woodfield, intended appointee as member, Social Benefits Tribunal. Mr Woodfield, you may come forward. As you probably know, you are entitled to make an initial statement should you see fit, and then you'll be questioned by members of the three parties represented on the committee if they deem this appropriate. Welcome, sir.

Mr Richard Woodfield: Thank you very much. Mr Chairman and members, I would like to just take a few moments to make some introductory remarks, and I will read them for you, if you don't mind.

Might I begin by stating just how honoured I am to be considered as a candidate for this appointment. I truly look forward to serving Ontarians to the very best of my ability in a manner that is caring and proper in applying the law as it is written and intended.

I do understand that the Social Benefits Tribunal plays a very important role in the administration of the government and in the lives of the people who are directly involved. I look forward to receiving the proper training directly related to this important appointment, so that I may act in accordance with the law and adjudicate in a prudent manner at all times.

If you've had an opportunity to review my resumé or fact sheet, you'll notice that I'm quite involved with my own community, as I'm sure many of you are, and that

includes Cambridge and Waterloo county and the community as a whole. I would like to highlight some of the activities that may be pertinent to this meeting.

First and foremost, I am very involved with my church and church family. I am immediate past church board chair, and I'm an active elder at Knox's Galt Presbyterian Church. I sit on the pastor's advisory council and the education and discipleship committee.

I spend some time as a charity auctioneer and have applied it to fundraising for Nutrition for Learning, a school breakfast program supported largely by the Royal Bank and Isaiah 58 Ministries, a Christian outreach ministry tending to the needs of the homeless mainly in the Kitchener-Waterloo area.

I have served as a director of Argus house for young people. Argus house looks after the short-term needs of homeless youth in Cambridge, offering a temporary home, counselling and job search skills.

I was honoured to receive an award for exemplary volunteerism from the Aga Khan Foundation, especially in that before I was notified of my nomination for the award I was unaware that the foundation existed. I then learned of some of the great caring work they do.

When I was called by the office of the member of the provincial Parliament for Cambridge to see if I would be interested in applying for this position, I first asked why they thought I might be a good candidate. They were quick to remind me of how I had brought forth cases to local organizations and politicians as a volunteer, where I was advocating on behalf of individuals who were in need of assistance that I thought may be considered justifiable. Based on this behaviour and my track record in the community, they felt I would serve Ontarians well, especially after training.

I could cite the cases, but suffice it to say that they are as varied as are the people. But they were people with real needs who also needed help to work through the red tape, which seems to have been significantly reduced over the last few years.

This brings me to elaborate on some additional experience I have that will help me to perform my duties on the Social Benefits Tribunal. I spent approximately four years on the council of the College of Dietitians of Ontario, ironic as it may be, as a public member appointed by order in council in, I believe, the spring of 1996. During those four years, I sat on most committees, including registration and complaints. I sat as vice-presi-

dent of the college and chaired the discipline committee. We undertook quite a bit of training to handle complaints and discipline, including alternate dispute resolution and writing decisions.

For the past six years I've been quite involved with an organization called the Council of Educational Facility Planners International, in short CEFPI—you have to be an auctioneer to be able to say that title. It is also known as the international School Building Association. I received an award for outstanding achievement, which was presented to me at the annual conference in Orlando in October 2000. I'm the immediate past president of the CEFPI Ontario chapter.

I am co-founder and vice-president of Principal Communication Inc, established in 1995. We specialize in technology for educational institutions and lifelong learning. We're also implementing enterprise-wide e-learning software platforms. My partners at Principal are aware of my intentions to dedicate my time to the Social Benefits Tribunal and support my decision, even with its heavy workload.

Like any concerned citizen who is an active volunteer, I am busy with it and am greatly supported by my family in doing so. I am blessed to be the father of two fine sons, Nathan and Nicholas, and husband to my high school sweetheart, Mary.

I'm looking forward to serving Ontarians in this role, a new one for me. I'm encouraged and inspired by the recent words of the Honourable John Baird when he said, "We're not prepared to turn our backs on anyone. That's why we won't give up on people who need extra support to help get themselves off welfare and into the workforce."

Thank you once again for your consideration. I would most certainly welcome any comments or questions.

1010

The Chair: Thank you very much. We will commence the questioning with the official opposition. Mr Gravelle.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr Woodfield.

Mr Woodfield: Good morning.

Mr Gravelle: Mr Woodfield, there are a number of questions I want to ask you, but let me start with the fact that you highlighted at the very beginning your involvement in the church. In terms of some of the changes that have been made to the social welfare system in the province, a number of church groups—the Cambrian Presbytery specifically—have been quite critical of some of the changes that the government has made and the fact that there's been no mechanism put in place to determine whether people who are leaving the system really are leaving it to find jobs.

I'm curious as to your position in terms of some of the massive changes that have taken place, really since this government came in place, and whether there is anything you would feel should be changed.

Mr Woodfield: Mr Gravelle, I think it's important to remember that we're in a constant state of change, and

just as we changed in 1958, implementing the General Welfare Act, and, in 1967, family benefits, there were changes necessary in 1997. I think they reflect the times, and I support things especially like the Ontario Works program and so on that get people back working who really want to be.

Mr Gravelle: I think we all agree that we want people to have as much hope as possible so that they can leave the social assistance system and get into work. In your opening remarks you made reference to cases that you had brought forward yourself. Generally speaking, were these cases of people who had been turned down and they were going before the Social Assistance Review Board, or did you advocate on their behalf as well, and was that based upon some concerns you had with the system?

I appreciate your answer, although it struck me as a bit vague, if I may say so without being impolite. As I say, in terms of your involvement with the church, it seems to me that they have been very concerned about the impact that some of these changes have had on our most disadvantaged people in the province.

Mr Woodfield: I don't think citing the cases would be proper, based on the fact that there are certain privacy concerns. But it's safe to say that a couple of cases were disability issues, and a couple of cases were education-related where there was a special need for special types of education and so on. I feel it's important to advocate on people's behalf, so I've done so, and that's just been something that I've done as a volunteer. I'm not sure if that answers your question, but I will say that I think each individual case has its own merits and has to be acted on accordingly. In all these cases that I've brought forth I've felt that they were justifiable. It was not just because they were friends or friends of a friend; I found in some cases people I didn't even know and felt it was important to bring it forth.

I would just wrap that up by saying I think it's important to make sure that people are taken care of, and that's what government is all about. That's what I was doing, acting on behalf of these individuals, introducing them to organizations and politicians, for instance, who might be able to help them.

Mr Gravelle: Without asking you to be specific, were the people you were helping successful in terms of their appeals? Do you recall that?

Mr Woodfield: Not all of them, but certainly they had a better understanding of the system and generally accepted why they weren't successful.

Mr Gravelle: Do you think, though, that there should be an evaluation done? I've been calling on behalf of our party for a social audit, basically a process by which we would look and see what's happened to people once they left the system and see how they're doing in an overall sense in terms of their health and their well-being. We certainly know that the use of food banks has increased. Everything seems to be coincidental with some of the major changes that have been made by this government and we feel that there should be some evaluation done.

Many other provinces make that mandatory, part of their legislative changes. They say, "We want to be able to look at this." Certainly the government has said that they think the vast majority of people are finding jobs. I think that's extremely questionable and the indications are that may not be the case.

The point I made is that if indeed the government is so sure that this is a better way, they would be open to doing something akin to a social audit to look at what's happened to people after the fact. Have you got any thoughts on that?

Mr Woodfield: Would you repeat the question that you asked me the first time?

Mr Gravelle: A social audit, some way of evaluating and finding out what's happened to people once they've left the system. I think it's something that the government has resisted doing. In other words, are people better off? Are they finding jobs? Are they just simply on the streets? There are many examples of people who are not better off as a result of the system. There has been a tightening of the eligibility criteria and I submit that a lot of people are much worse off and in more difficult straits. I just think that maybe the best way to resolve this—as a member of the opposition, perhaps you would say, "That's what he's going to say anyway." But I think the way to do it is to do an evaluation, which a social audit would help do. I'm just curious as to whether or not you think there should also be an evaluation or an audit done of those people who have left the system.

Mr Woodfield: I don't think I'm the proper person to ask that. I don't think I've looked at it closely enough from that aspect. I'm certainly not in a position to know all of the numbers or the insides of it, but what I will say is that, for the position, I'm ready to take on the task and certainly will do my part. If you wish to audit my piece, it'll be done to the best of my ability.

Mr Gravelle: Part of the process that has been put in place is, if people are unsatisfied with a decision that's been made, there is an internal review that goes on within the system. That's a new addition to the process, which I think certainly slows down getting to the Social Benefits Tribunal. Have you done some research in terms of the role the Social Benefits Tribunal and do you think that this internal review process whereby people have to basically appeal internally first in order to get to the Social Benefits Tribunal is fair?

Mr Woodfield: I've done some general reading on it, Mr Gravelle, but I wouldn't say that I'm an expert on that yet. So to give you my opinion at this point on that particular issue I don't think would be fair. Suffice it to say that I'm looking forward to the training. I plan on taking it with vigour and getting involved with each individual case on its own. The process before it would get to the Social Benefits Tribunal is something that I'm not going to have any hand in anyway. But I would like to know more about that myself and I will investigate that for my own information. But to comment on it right now I don't think would be proper.

Mr Gravelle: One of the first decisions that was made by the government when they came into power in 1995 was to cut benefit rates by 21.6%, and since that time there has been no increase at all. As I say, we know that the cost of living has increased for absolutely everything; certainly food costs have gone up, we think, by about 25% and obviously housing costs have as well. Would you favour a cost-of-living adjustment being put on people who are on social assistance benefits?

Mr Woodfield: I can't say that I would at this point. I would have to look into it further. I've looked at the scales and the charts and so on and I think at this point in time they seem fair.

Mr Gravelle: I'm sure you've read the evidence of people who are struggling to get by, certainly in terms of the major centres, and I know it's the case also in Thunder Bay, which is where I come from. It's more difficult: rents have gone up by a massive amount, the available housing has decreased. In the Toronto area it's a huge problem. But you think the rates are fair, is what you're saying.

Mr Woodfield: I think at this point in time the rates that are set, if they're used properly, can be enough to support individuals who, with good resourcing of themselves, can get by. Certainly it's not something that everybody wants to rely on for life, and I hope to see the evolution of things so that things are better in Ontario. But I'm not in a position to say whether they should go up or down or be reviewed, and I don't think that would be my position on this tribunal.

1020

The Chair: That concludes your questions.

Mr Gravelle: Not one more quick question?

The Chair: No.

Mr Gravelle: Oh, sorry. I forgot to ask the big question.

The Chair: I'll give you one more question, because you had about 30 seconds. But that's it, 30 seconds.

Mr Gravelle: I apologize for banging the table. I just want to know if you're a member of a political party, Mr Woodfield.

Mr Woodfield: Yes, I am.

Mr Gravelle: Can I ask you which party that is?

Interjection: That's two questions.

The Chair: I had better go to Mr Martin.

Mr Gravelle: I'm not surprised to hear that, Mr Chair.

The Chair: Mr Martin might well continue the way he sees fit.

Mr Tony Martin (Sault Ste Marie): And if I pound my fist, I get an extra question.

Mr Gravelle: I apologize; I never do that. I was mad at myself, Mr Chair.

The Chair: OK, you should be.

Mr Martin: You might as well help us all out here. What political party do you belong to?

Mr Woodfield: I'm a member of the Ontario PC Party.

Mr Martin: Have you been active in campaigns recently, as late as the last election provincially?

Mr Woodfield: Yes.

Mr Martin: Whose campaign were you involved in?

Mr Woodfield: I was involved in Elizabeth Witmer's campaign.

Mr Martin: Was that the leadership campaign?

Mr Woodfield: Yes, her leadership.

Mr Martin: Her leadership campaign? OK, which gets me to my first question.

Interjection: Third in a row.

Mr Martin: Third question, is it? Non-political question, maybe. Who's counting? Actually, it's the question I was going to ask first, but I wanted to help out my colleague from the Liberal caucus and finish up what he wasn't able to. You've obviously got a very impressive resumé here of community involvement, volunteering, having that activity recognized. I'm assuming from your resumé you're active in the private sector, in business. Why would you want this appointment at this time? Why would you want to do this kind of work?

Mr Woodfield: I did mention in my opening remarks that I'm a co-founder and vice-president of a company called Principal Communication. We've evolved since 1995 into being a leader in the area of technology and education and e-learning. This came forth as something that really interested me. I thought I could do the job well and I knew that the need was there for people like myself who had care and concern and who could adjudicate properly, with the type of experience that I had. When it was brought before me, I thought that that's a challenge I would like to undertake. So that's why.

Mr Martin: Where did you find out about the actual position, and how did you apply?

Mr Woodfield: I did go through that in my opening remarks. I got a call from the office of the MPP for Cambridge.

Mr Martin: Who is that?

Mr Woodfield: Gerry Martiniuk. I got a call from his office, asking if I would be interested in applying for this. As I mentioned in my opening remarks, I asked them why they thought I would be a good candidate for that. They explained why: my involvement with bringing other cases forth and so on. So I said yes, that I would consider it. I applied through the process and waited for a call. I got a call in December for an interview. I went to an interview, and here I am.

Mr Martin: You mentioned also in your opening remarks that you were impressed with comments by the minister, Mr Baird, as to the effort that he would go to in order to make sure that people got off of welfare and into the workforce. That won't be your job on this tribunal. Your job on this tribunal will be to make sure that those who have, for one reason or another, fallen off of the wagon and are not in the workforce any more get what they need to support themselves. Lots of very reputable organizations over the last couple of years have indicated that in Ontario poverty is growing at an alarming rate. The Campaign 2000 group that set themselves up over 10 years ago to monitor child poverty following a resolution of the federal Parliament to eradicate poverty by the year

2001 have indicated that whereas children in poverty were about one in 10 back then, it's now down to one in six, and actually in Toronto it's one in three. The Toronto committee of that campaign indicated about a year ago that they found through their studies that it's one in three. The United Way just recently put out a report that indicated there is a huge gap now between those who have and those who don't.

It concerns me that this government continues to think that its policies are being effective, are being helpful, are doing something about that, when all indications are that it's not. Do you think that's fair, that that's a proper way, given your political affiliation and your appointment to this board?

Mr Woodfield: Just to make a comment about your first remark, I mentioned in my notes here that I was impressed and inspired by those words of the Honourable John Baird. It didn't say that it applied to what I would be doing. I'm cognizant of what my position will be. I would see my job as one where I would interpret and apply the law and do it in a non-partisan way, without prejudice. That's what I would see my job as. It would be on a case-by-case basis. I think it's important to be caring.

I know nothing of the figures you just quoted or Campaign 2000. I'm not familiar with it, so I can't really comment.

Mr Martin: Are you familiar with the issue of the child tax benefit supplement clawback by the provincial government, a program that was put in place by the federal government to deal with child poverty, where low-income families would be given a certain amount of money for each child, and people who aren't in the workplace but who are on assistance are having that money taken away from them, dollar for dollar?

Mr Woodfield: Yes.

Mr Martin: Any comment on the appropriateness or correctness of that initiative?

Mr Woodfield: No, I don't.

Mr Martin: Is there anything in that that you would consider in making a decision, where a person before you at the tribunal is appealing their being turned down for assistance? Can you conjure up any circumstance where you think that might—

Mr Woodfield: I don't think it's appropriate for me to conjure up anything right now. I think it's appropriate for me to say that I'm looking forward to the training. I think it's important that I go into the training and take it with a certain amount of vigour and be ready to do the job. I think by the comments that I've made, you should be able to see in my history and my chronology of what I've been doing that I'm a caring individual who will deal with these individuals in such a way that would hopefully apply the law with that care and concern. I don't think it's appropriate for me to get into the semantics of the individual regulations and that sort of thing right now, because I haven't been fully trained. After I'm trained, I'll be able to give you some comments on that.

The Chair: The last question. I wanted to warn you so that we didn't have a demonstration.

Mr Martin: I guess it's important for us here to understand and to have some sense of the appointments that are being made by this government, because we hear them on many occasions say things that we think, "Yes, that's right, that's what we should be doing," yet on the other hand, the programs that they introduce and that they're responsible for managing are obviously driving more and more people into poverty. I mean, even the folks who are finding work through Ontario Works, or the workfare program, are not finding their way out of poverty. The statistics are showing that, more and more, even working families are finding it very, very difficult to make ends meet, so for me it's just really important to understand.

1030

My last question is, in your appointment, are you simply going to be another Conservative appointment carrying the mantra and the approach and the agenda of the government, or are you going to be an independent thinker who will be free and able and have the intestinal fortitude to look at each individual circumstance and make the right decision, as opposed to the politically correct decision?

Mr Woodfield: Mr Martin, certainly if you check with anybody who knows me, they'll tell you that I've got intestinal fortitude. I see my job, as I've said before, as one where I would interpret and apply the law. You can describe it however you like from a partisan perspective, but I do not see this position as being partisan at all. I think it's very important to do the job at hand, whatever government is in place, to do that job and to do it without prejudice.

The Chair: Thank you. The government party.

Mr Bert Johnson (Perth-Middlesex): I just had a couple of questions about a couple of comments. I guess the comment was in relationship, Mr Woodfield, to the previous comment that in September 1995 there was a reduction made. I keep reminding, because I don't hear it along with that, that we allowed all of those to earn back the amount of the reduction.

Mr Steve Gilchrist (Scarborough East): Tax-free.

Mr Johnson: Yes, tax-free. So I just wanted to put that into the record.

I also wanted to say that I looked through your resumé and I was gratified with part of it. I guess the only thing I would argue about is the fact that you're a Presbyterian, but I think we can overlook that.

I did wonder a little bit about your relationship with baseball. I used to umpire in the intercounty league. I live in Listowel, and our recreation director was Donald Town. You may have run across him, coming from, at that time, Galt.

Mr Woodfield: Yes.

Mr Johnson: I wanted to compliment you on your background and your community involvement, the awards you have won. The time that you've put in on behalf of your community says a lot. I'd like to suggest that I haven't seen anything that will change my support for you today.

Mr Woodfield: Thank you, Mr Johnson. I do remember you doing some umpiring some years ago, and I take back any ill words that I may have said about your calls.

Mr Johnson: I understand.

The Chair: Mr Wood?

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you, sir. You may step down.

Mr Woodfield: Thank you.

HAROLD HANDS

Review of intended appointment, selected by official opposition party: Harold Hands, intended appointee as member, Ontario Securities Commission.

The Chair: Our next intended appointee is Mr Harold Hands, intended appointee as member, Ontario Securities Commission. Welcome to the committee, sir. As you observed, you have an opportunity, should you see fit, to make an initial statement, followed by questions from the members of the committee.

Mr Harold Hands: Thank you, Mr Chairman, and good morning, members of the committee. It's an honour to be here as the final stage in the proposed appointment to the Ontario Securities Commission.

By way of background, I am 58 years of age. I have been married for 33 years and have three adult children. Luckily, two of them have already left the nest. I have lived in Scarborough for the last 47 years.

I am a lawyer by profession. I practised law in the corporate and securities field for a little over 30 years until my retirement on December 31, 2001. During that time, I initially spent 16 years at a mid-sized Toronto law firm, Day, Wilson, Campbell, concentrating in the latter years in mutual fund law. By the end of my term at Day, Wilson, Campbell, I had a very significant mutual fund practice.

In 1987, I joined the largest of my mutual fund clients, Mackenzie Financial Corp, as their first in-house legal counsel and had been with them until my retirement in December 2001. When I joined Mackenzie, it was already one of Canada's largest mutual fund organizations. It managed something in excess of C\$6 billion in 1987. When I retired, Mackenzie was still one of the prominent mutual fund companies in Canada, with almost 200 investment products, mutual funds and related products, and managed in excess of \$32 billion of assets for Canadian investors.

You might recall that in late 2000 and early 2001, Mackenzie was the subject of a very public and hostile takeover bid, which ultimately resulted in Mackenzie being acquired by Investors Group of Winnipeg, Manitoba. Together they represent, by far, the largest mutual fund organization in Canada, with about \$75 billion of assets under management.

Back in September 2001, I received a call from David Brown, chairman of the OSC, indicating that he was aware that I had begun to wind down my legal practice and was intending to retire from Mackenzie. He asked if I

would be willing to have my name put forward by the nominating committee to join the Ontario Securities Commission. I was honoured to get the call. It was quite unexpected. I had not really considered taking on an active and responsible role after retiring, which is not to say I would have been irresponsible after retiring. I was intending to wind down. I did explain to him that the appointment would have to wait until I terminated my relationship with Mackenzie—which did take place in December—and that I had committed to be out of the country for almost three months in the winter and would be returning in late March, so at the earliest it would probably be April. We chatted about the responsibilities of an OSC commissioner. His objective was to obtain someone with direct mutual fund experience for the commission. He felt that since the departure of Glorianne Stromberg some years ago, the commission did not have anyone on its committee who was directly involved in the mutual fund area and had the requisite experience.

The mutual fund area is a very active area in the Canadian capital markets. There are over 2,500 mutual funds in Canada and collectively something in the order of 52 million investor accounts among 80 or more management companies. I think the assets are now over \$400 billion. So it's a significant part of the Canadian investor opportunity.

I undertook to consider his request. Through further discussions with Mr Brown and Theresa McLeod, the chairman of the nominating committee of the OSC, I agreed to let my name go forward. As I mentioned, I was out of the country until near the end of March, so we had not had an opportunity to schedule this meeting before now.

While I was at Mackenzie, I was also involved in an organization called IFIC, the Investment Funds Institute of Canada, which is the trade association for the Canadian mutual fund industry. Over the years, I have served as a member and chairman of their regulatory committee and as a member and ultimately chairman of the manager council board of governors of IFIC. Through 1996, 1997 and 1998, I held the executive positions of vice-chairman, chairman and past chairman of IFIC's board of directors.

For the record, I am not a member of any political party. The closest I have come to political patronage is that I used to shop at Mr Gilchrist's Canadian Tire store on Lawrence Avenue in Scarborough. I've never met him.

1040

I have no constraints on my time at present. I do not sit on any corporate boards, either public or private. If appointed, I am quite prepared to act diligently and to the best of my ability to serve the Ontario Securities Commission and particularly to advance the interests of Canadian investors in mutual fund matters, which is virtually the sole area of my experience and expertise.

Mr Chairman, I'd be glad to answer any questions.

The Chair: Thank you very much, sir. We commence with the New Democratic Party, the third party.

Mr Martin: Thanks for coming this morning. I don't pretend for a second to be an expert in this field. The only real personal interest I have is in protecting my own mutual fund pension investments, which all of us around this table have, some more than others, and to make sure, in doing that, that we're also protecting the small investments of our constituents, who in one way or another are probably relying on the fairness of that system to protect them and their funds as they move into their senior years and pension and that kind of thing, which brings me to my question.

You obviously come from the large corporate side of this whole very important piece of work. What's to give us confidence that you will in fact not carry with you into this job a bias toward the bigger entities, the management side of these funds, as opposed to protecting the investment of some of the smaller players?

Mr Hands: As you probably know, mutual fund managers are under a fiduciary duty in managing the mutual fund assets they have under administration to act honestly, in good faith and in the best interests of the fund investors, and to exercise the care, diligence and skill that a reasonably prudent manager would exercise in the circumstance. So right from the start, from joining Mackenzie, it has been clear that Mackenzie's first obligation is to its fund investors, secondly to its own shareholders. Mackenzie was a public company; it has now been fully acquired. But throughout that piece, I think we acted in the best interests of fund investors and with the fund investors' interests in mind.

I've been very active over the years in areas that I think have offered benefit to individual investors. I'm a great believer in plain-language drafting. In my role as IFIC chairman and on various committees, I worked closely over the last few years with OSC staff as they brought forward a new prospectus model that was designed to be plain language, to offer more useful information in the prospectus to individual investors so that they could make a reasoned investment decision. That process took a number of years, sadly, but while the process was underway, the entire industry adopted the plain-language approach. If you looked at prospectuses from five or six years ago to where they are today, they are easier for investors to understand. The fact that they now have a better understanding of the vehicle they're investing in and their rights as an investor should help protect their interests going forward.

Also, from time to time there are issues that do arise in the mutual fund industry where there is at least the perception of conflicts of interest between the manager side of the business and the fund investor side. One of those areas came up back in 1997-98, when two fund managers were accused of front-running their investments in the fund to benefit personally from activities that should have accrued to the benefit of the fund investors. There was a great deal of press about that at the time. I chaired a committee of IFIC called the code of ethics committee for personal investing, and we put in a very stringent system for ensuring that personal trading

by portfolio managers or other people who had access to investment trading by mutual funds would not adversely impact fund investors. It was a pre-clearance system; nobody could make a personal trade on their own behalf without clearing it through the compliance department. The kinds of checks and balances were that if there was an outstanding trade order in the same security by one of the funds in the organization, that trade order had to go through before the fund manager's order could go through. Those were all designed to improve the optics of the industry, to give fund investors the confidence that the industry was there to serve their best interests.

There have been a number of other issues, such as sales practices, where the industry has moved quickly when prompted by the OSC or other regulatory input to make sure that the credibility of the industry and the welfare of its investors are put first.

Mr Martin: I have to tell you that I'm very anxious and nervous in that whole area of our economy and how it works and sometimes doesn't work, because we are becoming so much more dependent on it as the economy goes global and finance moves around and communities are affected and all that kind of thing. I appreciate your commitment to plain language so that everybody understands what they are doing and how decisions that are made affect their own circumstance. However, we get frightened out of our wits when things like Enron happen, or our own experience with Bre-X, where many, many people lost money that they couldn't afford to lose, some of them very close to retirement and looking at a pension.

What can we do to protect ourselves from that kind of mismanagement and actual criminal activity in some cases at the very top echelons of some of these very well respected corporations?

Mr Hands: There are a number of areas. I think some of the Enron media coverage has focused on separating the role of auditor from the role of adviser or consultant. I don't think that's the answer; I think it's a starting point. It's a good thing to draw that separation. I think what is more important is that, first, you have to have a strong regulatory regime where the rules are clear and are well understood by both the regulators that have to enforce them and the participants in the industry. What I am concerned about in the Enron type of situation is that there are a number of areas of generally accepted accounting principles that are not clear, that are still grey areas where you have industry taking the initiative to push the envelope a little bit, and each time you push the envelope, you worry that you may end up with a calamity on your hands.

I think one of the ways to address these grey areas is for the securities commissions, the regulators, to be much more proactive in seeking out areas that could cause potential problems. Over the years, the US has been very active in asking industry panels to establish best practices, whether it's personal investing, accounting or other areas. These are typically called blue-ribbon panels. Go to the largest organizations in the industry, the ones that

you are comfortable know the rules and have the staff to interpret those rules, and tell them to come up with problem areas and solutions that a regulator can live with. We're seeing a much more proactive approach over the last few years in the mutual fund industry with our regulator, and I think that might have been useful in an Enron situation.

I noticed in the paper just recently that the Canadian Institute of Chartered Accountants has announced that they have formed a committee to investigate areas that could be troublesome under generally accepted accounting principles. It's chaired by Tom Allen, who is a very senior lawyer with lots of business experience. Their role will be to suss out these problem areas and develop proposed solutions and take them back to the regulator. So I think it's equally important to make sure that there's an ongoing communication with industry and the securities markets to make sure the securities markets know what's understood of them. Whether you can ever eliminate criminal activity—that's difficult. But if you set strong rules and are prepared to enforce them, hopefully you will offer a deterrent that makes it less palatable for these companies to push the envelope and seek advantages which may come back to hurt their investors.

1050

The Chair: Thank you, Mr Martin, for your kind intervention. We now go to the government caucus.

Mr Gilchrist: I just wanted to put on the record that while we have not previously met, Mr Hands, obviously your extraordinarily sound judgment in retail choices gives me great comfort that you'll demonstrate attention to detail and make the right decisions when it comes to serving on the Ontario Securities Commission. I certainly wish you well.

Mr Hands: Thank you.

Mr Wood: We'll waive the balance of our time.

The Chair: It will be Mr Gravelle for the official opposition.

Mr Gravelle: Thank you, Mr Chair, and I promise not to bang my fist in protest again.

Good morning, Mr Hands. Certainly I'm impressed by what you've had to say so far in terms of how you think the OSC needs to manage affairs. In terms of following up some of the discussion you just had with Mr Martin, even in the issue related to best practices, I know there has been discussion about having a national securities regulator, a national securities commission. I'm curious as to how you feel about that, but do you think that also would be helpful in terms of some of the issues you were discussing in terms of developing best practices?

Mr Hands: Absolutely. I am in favour of a national commission. Obviously the issues are very complex, and I don't purport to understand the political or some of the charter arguments in detail. But as a practitioner, I can tell you it is difficult to have had to deal with 13 different provincial and territorial commissions over the years to file prospectuses.

To give you an indication, we tracked the number of pages of paper that we had to file electronically with regulators last year in order to clear for sale on a renewal basis 100 mutual funds at Mackenzie. Over 8,000 pages of paper were required, from start to finish, for that 100-fund project. Now, they were filed electronically, but that means somebody at each of 13 commissions has to download at least a portion of that, read it and have the opportunity to comment on it. As a practitioner, while we do have a protocol that establishes what's called a principal jurisdiction for the review of prospectuses, every securities commission has the opportunity to comment, whether they're a principal jurisdiction or not.

Mr Gilchrist: All 13.

Mr Hands: All 13. It slows the process down; it increases the costs for the industry significantly; it can lead to sometimes amusing interchanges between regulators, where one regulator wants a change and the other doesn't agree to it, and you're caught in the middle. All of that would be facilitated with a central securities commission. You would file the documents in one place, one review team would look at those documents and provide their comments and, when satisfied, you would refile and you would instantly be available for sale in all 13 jurisdictions. It has tremendous appeal to the industry. Again, it's a difficult issue from a political perspective, but I would certainly endorse any efforts that the commission would make to do this.

Mr Gravelle: Do you think the concept of a pan-Canadian commission—because you're right; there are some difficulties in terms of some of the provinces feeling they would lose the influence they have. I see the attraction of a national securities regulator, as well as perhaps some more transparency, which I think is extremely important, especially for the average consumer, who really just doesn't understand it. Certainly I'm one of those. Do you see the pan-Canadian commission, which isn't quite as far as a national securities—could that work much the same way, do you think?

Mr Hands: I think it could. Again, it's a ceding of certain powers to a new committee by various provinces. Over the years some provinces have been more active than others—they tend to be the commercially developed provinces—in wanting to be involved in securities issues. But I do see it as capable of working if it's combined with the initiative to make our securities laws more uniform than they are now. They're not far off in the mutual fund area, but in other areas there are differences. If they develop a protocol that everyone is comfortable with, I think it would be a tremendous advantage.

I'm not as knowledgeable about how that might affect capital inflows and outflows, but from the point of view of the Canadian small investor, it will make it a lot easier to regulate the industry, to monitor the industry's compliance with regulation, and to drive down issues that will help the investor, such as plain language, greater education, greater access to the Internet and other services, and ensuring that the people they buy the products from are knowledgeable about what they're

selling and that the products are appropriate for that particular investor.

Mr Martin mentioned that a number of people lost a good portion of their retirement income when Bre-X went down. Many of those people should not have been in Bre-X in the first place. That, in part, is a failure of the adviser side of the business, the dealer side, to make proper choices, I believe.

Mr Gravelle: Let me ask you one other question related to the potential or the discussed merger of the Ontario Securities Commission with the Financial Services Commission. I think our Premier-designate, Mr Eves, when he was finance minister, brought it forward, and there was legislation brought forward by our present finance minister, Mr Flaherty. What are your thoughts on the merging of those two commissions, the merging of the capital and financial markets? And if I may, as a side question, I'd ask you what your thoughts are on the government's role in terms of the Financial Services Commission. I certainly have concerns in particular about insurance rates. As a provincial member, I get lots of calls from people about a number of issues. I tend to take the position that the province needs to play a greater role in trying to manage the costs. There are some huge issues which are going to cause great problems.

I guess the first question is, what do you think about the merger and the role of the Financial Services Commission itself?

Mr Hands: One qualifier upfront: I haven't really studied the proposal in any detail. But again, as a practitioner, there are a number of areas of overlap between the two disciplines. On the insurance side, they have an investment product called a segregated fund. It looks a lot like a mutual fund; it operates a lot like a mutual fund. It is an insurance contract, but if you take away the formality of it, to the common investor it's just another mutual fund.

Mr Gravelle: It walks like a duck.

Mr Hands: It walks like a duck, it quacks like a duck, it makes a big mess like a duck.

The problem is that they have their set of rules for disclosure documents, for sales practices, for costs, for reporting to investors. We have a totally different set of rules for the mutual fund industry. Why shouldn't those rules be the same? Why can't we put those under the same disclosure and reporting system so that all people who are investing in a similar financial product will have the same benefit of information? Areas like that I think would definitely benefit from putting the two bodies together. Again, I really don't know the technical details of it, but I would be in favour of pursuing it to see what benefits could come to Ontario investors as a result.

Mr Gravelle: In terms of the insurance industry, one of the concerns we have is that in northern Ontario there have been massive increases for people who are independent owner-operators of logging trucks. There are huge increases. The great concerns are that some of the speculation the insurance industry has done has led them to some losses recently, and September 11 has been used

as an example as well. There seems to be at least somewhat of a coincidental extraordinary rise in costs which I think can have a big impact on the economy. Certainly consumers are speaking to me about the insurance costs as well. I know this is always a tricky issue and there has been legislation brought forward, but have you got any thoughts in terms of the role the government should be playing with the insurance industry itself?

Mr Hands: I really haven't, Mr Gravelle. I haven't studied the product. I'm a consumer as well; I'm as worried about insurance rates as anyone. If they can drive down my car costs, it would be much appreciated.

Mr Gravelle: Thanks very much, Mr Hands.

The Chair: Thank you very much. That concludes our questioning, sir. You may step down.

I'm going to depart from the chair right now to leave my neutral Chair's hat—

Mr Johnson: I don't know whether to say that's good or that's bad.

The Chair: —and put on whatever other hat there is to put on.

1100

ANTHONY ANNUNZIATA

Review of intended appointment, selected by official opposition party: Anthony Annunziata, intended appointee as vice-chair, Ontario Tourism Marketing Partnership Corp board of directors.

The Vice-Chair (Mr Michael Gravelle): We will now move forward. The next selection of the government agencies committee is Anthony Annunziata, intended appointee as the vice-chair of the Ontario Tourism Marketing Partnership. Please come forward, Mr Annunziata. As with all the previous potential appointees, you have an opportunity to say a few words if you wish beforehand, and then we will proceed with questioning by the committee. Welcome.

Mr Anthony Annunziata: Thank you very much. Good morning, ladies and gentlemen of the committee. I am pleased to be here this morning to speak about some of my background and my credentials for sitting as vice-chair of the Ontario Tourism Marketing Partnership.

I was born and raised in Fort Erie, a border town in southern Ontario, in the Niagara region, and have had an opportunity to see tourism and the impacts of tourism first-hand for practically my entire life.

I attended the University of Western Ontario in London, where I graduated with a degree in economics and political science. I moved on to pursue my graduate work in the US at Canisius College. I pursued a career in economic development. I became the economic development officer in Fort Erie, where I was part of community strategic planning and tourism strategic planning for a number of years, and then moved on to the city of Port Colborne as their director of economic development.

While in Fort Erie and between then and Port Colborne, I sat on a number of boards. I was a director of

the Fort Erie Friendship Festival. I am a past vice-president with the Fort Erie Jaycees. I sat as a commissioner on the Ontario Racing Commission.

In 1996, I pursued and accepted a job with Casino Niagara as the manager of business development. In 1999, when Falls Management Co was announced as the permanent operator of Casino Niagara, they named me as director of marketing. In March 2001, I was named executive director of marketing for Casino Niagara.

I manage a budget in excess of \$100 million and have been involved in tourism and driving tourism traffic into the Niagara region, into the province of Ontario, for the past several years. The main objectives with respect to my mandate as executive director of marketing are to drive US traffic and visitation, be a demand generator for the region, create economic development and create revenues for the province of Ontario.

The Vice-Chair: Thank you, Mr Annunziata. We'll begin the questioning with the government.

Mr Wood: We will waive our time.

The Vice-Chair: All right. We'll then move to the official opposition.

Mr James J. Bradley (St Catharines): I note first of all that you were the election fundraising co-chair for Tim Hudak, Conservative member for—it says Niagara South here. It is now Erie-Lincoln.

Mr Annunziata: Yes. At the time it was Niagara South.

Mr Bradley: Do you think that had anything to do with the fact that it was suggested that you take on this position?

Mr Annunziata: I don't think so. I was asked back in, I believe, June 2001. I was contacted by Jean Lam, who was vice-chair of the OTMPC, to sit on the board to fill a spot that had been vacated by my predecessor who was sitting as a member of the OTMPC, Sharon Wheeler. I accepted the position and in September attended my first couple of board meetings, and then was approached by the nominations committee to sit on the executive, which I accepted in January of this year. Then I was asked by the nominations committee in February to sit as vice-chair, and I accepted that.

Mr Bradley: What role did you play in Mr Hudak's campaigns so far? Have you made a donation, for instance?

Mr Annunziata: When Mr Hudak and I worked together back in 1994, we spent some time wanting him to seek the MPP position in Niagara South at the time, and we were simply putting together the party, for lack of a better word, at the provincial level in Niagara South. It didn't exist, and there were a number of people from the federal side who wanted to see the provincial side take on some strength down there. I assisted with that and, prior to helping Tim, was also asked to sit on a committee to find a candidate to even run in Niagara South. That's how I got involved with it.

Mr Bradley: Have you donated to the campaign of Mr Hudak?

Mr Annunziata: Absolutely. Yes.

Mr Bradley: The maximum amount?

Mr Annunziata: I can't even remember. I don't know if it's the maximum amount. I think it was about \$100, \$150, in that range, usually for fundraisers.

Mr Bradley: You see, I get the impression that it's almost an investment in one's future. As I look around, there was the vice-chair of the Environmental Review Tribunal here a couple of weeks ago who had donated \$1,000 to Mr Gilchrist's campaign. He's now the vice-chair of the Environmental Review Tribunal. It may be just one of the factors and not the compelling factor, as my friends on the other side would say, but Mr Hudak's campaign workers, supporters and activists seem to do very well appearing before this committee and being appointed to various government positions.

Mr Annunziata: As a return on investment, as you refer to it, it can't be very good. This is a volunteer position and in fact it's taking up more of my time as I sit as vice-chair. The OTMP is faced with a number of challenges. Ontario tourism is faced with a number of challenges, including problems at the border, problems with air travel and lift from western Canada into Ontario. It's faced with a number of challenges, and I think that I, sitting as vice-chair, can provide some input and some insight to the people on the board who are private sector volunteers sitting to promote Ontario tourism, really out of a passion for Ontario tourism.

Mr Bradley: They always prime you people coming before this committee. I know they say, "Bradley will likely move out of the chair to ask questions about this," because you are involved in one of the activities about which I've had a lot to say—almost a lonely voice in this Legislature, I might say, even within my own party and others. It's the issue of gambling and of governments at all levels and of all political parties in this country wanting to get their money from what I consider the most desperate and addicted people in our society; that is, gamblers.

I see that you are involved as executive director of marketing for Casino Niagara. It's mentioned here that you are getting databases within the gaming industry in Ontario: "Develop marketing programs that enhance customer relationships. Developed ... reward and affinity programs that achieved unprecedented brand awareness and customer utilization.... Able to segment customer files ... customer loyalty program ... consumer profiling and predictive modelling."

Are people in those jobs able to sleep at night after they recognize that many of the people who come into the casino and blow every last dollar they have may be violent when they get home? At least they won't have the money to spend in such places as Canadian Tire. Is there any conscience among people who work in that industry about the people who rob banks, who embezzle from their employers and take money from otherwise useful expenditures in their homes to blow in the casino?

Mr Annunziata: To address your question, certainly there is a conscience. We all have to be responsible with respect to gaming and the gaming industry. Casino

Niagara specifically employs approximately 3,800 people, with a \$140-million payroll, and our objective in terms of driving demand from the US marketplace, and even in the domestic marketplace, to generate demand for this destination, to generate accommodations, to create economic development—our targets are not, as you suggest, the weak or the lowest-yield customers. The packaging that we're doing with Casino Niagara in the accommodation sector is to try to get the highest-yield customers, people who want to do getaways, people who want to extend their visitations, people who have disposable income, who are going to choose destinations, whether it be Niagara, Las Vegas, Atlantic City or Connecticut. These are people who are choosing to travel, choosing to go to gaming destinations, and we're simply marketing to them and making Ontario a product that can compete in that jurisdiction.

1110

Mr Bradley: You see, I also encounter people who are addicted to gambling. I've seen families that have been broken apart. People have even robbed banks. Embezzlement, in our area at least, the Niagara region, is often as a result of people heading down to spend their money.

I notice that you were also on a committee to get a casino for Fort Erie. Would you say that Fort Erie now has a casino, in effect?

Mr Annunziata: Fort Erie is not a focus. It's a slot operation with the racetrack. I'm pretty passionate about growing up in Fort Erie and having to see what Fort Erie and Fort Erie Race Track were going through, and certainly the number of jobs and the number of people who work there from an employment standpoint and the effect it had on the population. The people in Fort Erie did not want to lose the racetrack under any circumstances. When I sat as commissioner on the Ontario Racing Commission, one of the things I would do on a regular basis was berate the Ontario Jockey Club into providing more support in the Fort Erie area, providing more race dates, providing an environment and shepherding some resources into the Fort Erie area to keep that racetrack open.

What often came back to me is, "Listen, customers do not want to come. This is a question of economics. You can't artificially keep this open. It's going to have to survive or die on its own." Fortunately, the decision by the government to allow slots over there has changed that. The racing operation is doing very well. The slot operation is doing very well and in fact is drawing customers in from the United States. It is doing very well and it really complements the product in the Niagara region, I think, with Casino Niagara.

Mr Bradley: So in essence it's almost a casino. It's a casino through the back door. I remember the Honourable Chris Hodgson made his announcement, or pronouncement, that "We're not going to have these 44 charitable casinos we were going to have operating across Ontario operating seven days a week, 24 hours a day, bleeding the money out of local communities.

Instead, we're going to put a block to it." But now I see coming through the back door piles of slot machines. People, unfortunately, very often seem to be preoccupied with the slot machines more than with the horse racing, which is very traditional in our area and which is, I consider, substantially different from slot machine operations. Fort Erie Race Track's been wonderful for the Niagara region over the years; I would agree with you on that, sir.

I have another question that deals with the \$24 tax that the federal government is applying to airlines. When the September 11 unfortunate terrorist incident happened, there was thunder coming from the other side of the House that the federal government must do this, the federal government must do that. It was the usual law-and-order crowd that wanted to see the federal government spend all kinds of money. Now the federal government says, "We're going to spend all kinds of money on security," and the Honourable Tim Hudak gets up and says, "That's no good. That's going to discourage people from coming here."

Can we have it both ways? If we're going to have security, are we going to need funding to ensure that we have that security?

Mr Annunziata: It's an interesting quandary. Consumer confidence is effectively what's going to drive the consumer spending. If people lose confidence in air travel, if people lose confidence in travel altogether, we're all going to suffer. So security is an issue. I'm sitting there as a business operator in southern Ontario at a border point who is very concerned with people's perceptions of security and also the attempts to make sure it's secure.

So, yes, there's a quandary. Can we have it both ways? Unfortunately, we do need to provide a secure environment and we do need to be aware of the consumer impacts of additional charges in order to provide that. I believe the \$24 tax will have a negative impact on the air industry. I believe the loss of consumer confidence is certainly what led to the demise of Canada 3000. That in itself is going to provide huge economic impacts in Canada and in Ontario.

Just to illustrate that for you, I know, being part of the tourism industry, it is easier for tour operators to partner with Japanese and Asian carriers and booking agents to fly them into New York and then fly into Toronto because it's easier to get air out of New York into Toronto. They're effectively driving traffic into New York and not driving it into Canada because getting lift from Vancouver into Canada is—there are no options. There's one airline that's going to be able to fulfill that and effectively can't provide the necessary services at a cost that is going to be able to sustain that. You can see that impact in Toronto on the FIT business and the accommodation side.

The Vice-Chair: The question, Mr Bradley, if I may.

Mr Bradley: He wants to cut me off because I cut him off—

The Vice-Chair: No, you didn't.

Mr Bradley: This is a very straightforward question. It deals with something you'd be very interested in as a person from Niagara. Someone phoned my office the other day to say that at that point in time there wasn't any information in the tourism information booth at Fort Erie on the wine opportunities in the Niagara region. I was surprised by that. I understand there's a work stoppage now so it's not a matter of doing it now, but can we be assured by you using your influence in this new position you're going to have that you will make sure that we have those pamphlets and brochures extolling the virtues of the wine industry in the Niagara region?

Mr Annunziata: I can assure you the growth opportunities for tourism in Ontario lie in the wine and culinary, the golf product, the accommodations and attractions product and certainly the casino product. Those products in combination with each other are effectively what's going to make Ontario a preferred destination for travellers from the United States in the near markets and mid markets. Wine and culinary play a huge role in that, and I will ensure that's carried out in Fort Erie.

Mr Martin: Thanks for being here this morning. Certainly this is important work and is needed in every sector of our province. I guess my concern is the fact that you've come so obviously from sort of a gaming sector, which Mr Bradley just asked you a lot of questions about. What do you know of the other tourism sectors in the province?

Mr Annunziata: Certainly on the accommodations, the restaurant and attractions portion I have quite a bit of information and knowledge of how we package our product in terms of driving generation. If we're going to get people to spend two or three days in Ontario, it's not simply because it's a gaming message, it's not simply because we have wonderful hotels or we have wonderful dining; it's that combination of everything working in concert, of creating that message that's going to push the buttons and drive the generation.

I have to be honest with you: the northern Ontario product is not something that I know a lot about—and I'm learning more about it sitting on the board—but that's why the board has 15 different members who represent the interests from those areas: so that they can provide input into those constituencies and provide input into the policy side. One of the things I want to bring to the board which I think is sorely missing is some really basic, fundamental marketing. Listen, let's not spend \$1 million to chase \$100,000 worth of business. Let's spend money, because we have limited resources, to yield the most positive results. Last time I looked, the number of jobs and the number of businesses in Ontario—and certainly the tax generation for the province of Ontario—is pretty significant. We have a responsibility to ensure that's long-term and sustainable.

Mr Martin: As the member for St Catharines suggested in his questioning, it seems to me that the only initiative of this government in its term to add value or to attract people to come and perhaps stay a little longer, and the direct investment that they've actually made, has

been in the casino and gaming industry. When you consider that in 1995 there was one casino—temporary—and now we have them all over the place, and racetracks, I guess it begs the question, what else are we going to do? You can market casinos until you're blue in the face. You're competing with an ever-increasing, saturated market across North America for that. We have some wonderfully exciting and attractive natural resources that we need to be marketing and making sure are operating at capacity. Yet we're not doing that.

1120

Does it concern you that the only investments the government is making, given the job you're going to have to do, are in this gaming casino area, when in fact in the north, for example, we have destination attractions such as Mount Antoine in Mattawa, which no longer exists because the government walked away, and Searchmont, which this government walked away from. We hear via the grapevine that it has now been sold to an American interest, which is good. It would have been nice had it been Canadian, but it's an American interest. There was a local entrepreneur in Sault Ste Marie who invested money, time, energy, effort—you name it, he did it; he was there. For a measly \$100,000 that they were negotiating about across the table, the government walked away, put him under and put that very important \$10-million engine in jeopardy. Does it not concern you that we're investing so completely in the gaming industry, and yet everything else seems to be left on its own?

Mr Annunziata: I think there are some comments you have made that are certainly worth spending some time on. It's interesting that the message Ontario Tourism has been putting out for the last decade has been an all natural resources message that has really appealed to the US market to some extent, but there really hasn't been a message about cuisine, the wine industry or gaming. There has been no message to speak of in any campaign Ontario Tourism has done until the last campaign, after September 11, as we tried to create confidence in some of the border traffic, in some of the border cities like Windsor and Niagara.

What the government is doing, or what the OTMP is designed to do, is provide resources and provide a friendly environment to get public or private sector dollars and get private sector dollars working in the right direction to say, "Hey, look, there is a resource out here. We're willing to leverage with you. We're willing to create opportunities with you." But it's really a private-public sector relationship. If you provide the right environment for it, these companies can exist, can sustain themselves, can thrive in markets they never would have had opportunities to be exposed to.

Certainly the northern Ontario product, which is a wonderful product, would not—I can give you an example. If a company in northern Ontario is doing \$200,000 or \$250,000 a year in sales—which is not a lot, but it's a small industry and it's typical of some of the small industries in Ontario—can you imagine if 10% of

their budget, \$25,000, was spent on marketing? Now think for a minute what it costs to place a half-page ad in any of our newspapers, which is close to \$70,000. That dollar is not going to go very far. Production, in terms of the creative itself, isn't going to go very far.

You have a resource with Ontario Tourism that can do the production, maintain your placement and traffic your message into markets like Ohio, like Michigan, where people and markets will find the preferred message and find those customers who are then going to find that product appealing and respond to it. It's impossible for the people in some of these areas to even identify their market, because they don't know enough of what's out there to know what's going to be responded to. Certainly that opportunity exists through OTMP. Frankly, what's more concerning to me is that there isn't a plan in place now to see what's going to happen beyond three years relative to OTMP.

Mr Martin: That certainly concerns me too. Even though you suggest that over the last few years all we've actually been marketing is our natural resources, in fact we haven't done as much of it as we should, or enough of it. Certainly in northern Ontario, as we try to develop an ecotourism sector, for example, we need help. Yet this government replaced a vehicle that was there to market northern Ontario, the Northern Tourism Marketing Corp, which they just recently put a gun to the head of and shot. It's done; it's winding up. In my own community, the office of that corporation has basically fire-sold all its equipment. It has shows it was supposed to attend that nobody knows who is going to be attending now. What is there to guarantee us that this board you're being appointed to today won't suffer the same fate at the hands of this government, which doesn't seem to understand the importance, as you do, of marketing and having things to market?

Mr Annunziata: I think what's important is the fact that my efforts go into demonstrating to the government, including members like you, that it is worthwhile, and that will come from results. Frankly, if the board can't generate results and the private-public sector partnerships can't generate results, then certainly there is no need to continue spending in that area; move the spending. But I believe that with people on the board and with their efforts, the results will start to show. Frankly, those victories need to be demonstrated to members like you so that they can be supported in government and give you a reason to support them.

Mr Martin: I don't think the member from Thunder Bay-Superior North needs to do this with me, but if you look at the map of Ontario and you look at southern Ontario and northern Ontario—how huge northern Ontario is and how much there is to market up there, how much of an attraction that can be if we develop it properly—and look at the makeup of the board of directors of Ontario Tourism and see there is only one appointee to that group, it doesn't give us much confidence that this organization understands or has any interest in promoting northern Ontario.

Mr Annunziata: I'm not entirely sure how accurate that is. I know there was a position, with Mr French sitting from that board.

Mr Martin: That's right. He's the one.

Mr Annunziata: But there are a number of people—I'm trying to think of their names right now, but there are three board members, including our chair, John Williams, who represent interests in smaller areas and in the northern areas. Frankly, I have not attended a board meeting where the meeting has not been dominated by Arts in the Wild and Paddle Ontario and all the different products that have been developed in the north lately. The area that seems to get the least attention—obviously I'm supporting Niagara—seems to be Toronto. Certainly that's an area where we need to spend a little bit more time.

Mr Martin: I'm not sure if my colleague from St Catharines asked you this question, but how did your appointment to this board happen? I note in your resumé that you and Mr Hudak are familiar. You did some election fundraising for him.

Mr Annunziata: Yes. In June 2001, I was asked by Jean Lam to sit on the OTMP because my predecessor, Sharon Wheeler, the executive director of marketing at Casino Niagara, had sat on the board. She had asked me to sit on the board. I accepted that position in June. I was then asked by the nominations committee to sit on the executive in January, which I did. Then in February, I was asked by the nominations committee to sit as vice-chair, which I accepted. It was after that that I was asked to sit before this committee.

The Vice-Chair: Thank you, Mr Annunziata. I think we're voting before noon.

I am now going to leave the chair and have Mr Bradley return to the chair.

JILL TAYLOR

Review of intended appointment, selected by the official opposition party: Jill Taylor, intended appointee as chair, Conservation Review Board.

The Chair: I will now assume my non-partisan Chair's hat and call the next intended appointee, who is Jill Taylor, intended appointee as chair, Conservation Review Board. Welcome to the committee, Ms Taylor. You understand, I know, that you have an opportunity to make an initial statement should you see fit.

Ms Jill Taylor: I would like to say a few words to start out. I'm pleased to appear before you today to present my qualifications as the proposed chair of the Conservation Review Board.

The board is a regulatory agency of not less than three members whose responsibility it is to sit at hearings that are arranged by the ministry. A hearing is convened when there is a dispute related to part IV, pertaining to heritage property designation, or part VI, which relates to archaeological licensing, of the Ontario Heritage Act.

If an architectural property is proposed for municipal designation due to its architectural or historic importance,

and if there is an objection to that designation, the opposing parties may request a hearing of their views within 30 days of the intention to designate appearing in local newspapers.

If a hearing is required under the act, the board administration publishes a notice of that hearing and a committee of the board is convened to attend that hearing. The hearing is convened in the locality in which the subject building is located, and the members of the Conservation Review Board who attend that hearing are chosen based on differing geographic localities, the intention being to be as impartial as possible to whatever case is appearing before the board.

1130

At the hearings, which usually last one half to one whole day, the municipality presents its case for municipal designation and calls expert witnesses. The opposing parties present their case and sometimes call expert witnesses, and members of the public are encouraged to participate in speaking at the hearing.

The board acts as an adjudicatory body in its hearings. It hears evidence and writes a report after the hearings which is distributed to all parties. The report represents both sides of the arguments that have been made—for designation or against it—and offers an opinion regarding the merits for designation under the Ontario Heritage Act. We are bound to be respectful of both sides of the opinion and to view with impartiality the positions that have been represented to us.

It is the goal of the legislation that calls the CRB into being that significant heritage properties are protected by the tool of designation. Sometimes properties are proposed that do not, in the opinion of the board, merit designation. The opinion of the board is not binding; it's an opinion only.

As chair, my responsibilities are clearly defined in the memorandum of understanding, which is spelled out, between the ministry and the minister and the chair. Mentioned among those aspects are the aspects of being independent and impartial; that I should operate at arm's length from the government; that I should be accountable in all aspects of management, administration and operations; that I should wisely use public funds and that I should behave in an ethical manner. In that light, I see my role as proposed chair as being one where I can provide leadership to my board, ensure that we carry out our responsibilities under the act, and that I provide proper reporting to the minister.

I've been on the Conservation Review Board for three years, one year as vice-chair. I didn't seek my original position but was nominated, I believe by outgoing members in 1999. I didn't seek this position as proposed chair; I was asked to serve by the outgoing chair.

I'm proud to be able to serve in this capacity because I very strongly believe that the built and archaeological heritage of our province is important to cultural education and to continuity.

I am by profession an architect. I'm a partner in a mid-sized firm in Toronto whose speciality is the restoration

and renovation of existing and historic buildings. I've committed my professional life to work and to volunteer advocacy in the heritage community.

My professional training is in the practice of architecture and in the history of architecture. I've actually pursued further growth in this field through involvement in national and international organizations which promote heritage conservation. I've served during the past 20 years in many ways which have deepened my understanding of the issues relating to heritage, including being past vice-president of the Canadian Association of Professional Heritage Consultants and the chair of the International Council on Monuments and Sites stone committee under UNESCO.

My primary task as chair would be to serve as a citizen of this province who is committed to responsible action and public good. I would be proud to be able to accomplish this as chair of the Conservation Review Board.

The Chair: Thank you very much. We start this time with the official opposition.

Mr Gravelle: Ms Taylor, welcome. Certainly your qualifications are very clear in terms of the role that you've played as vice-chair. I am pleased to see, looking at your resumé, that you've done some architectural work up in northern Ontario. I'm from Thunder Bay. I see Cobalt railway station and Kenora railway station restoration, which is lovely.

You have been vice-chair and you've been involved and you are therefore an advocate, obviously, for heritage properties. At least I think it's fair to say that.

The question we should move to quickly is on the Ontario Heritage Act itself. I don't think it has been updated since the mid-1970s. A number of efforts have been made. I think the NDP, when they were in power, came fairly close to bringing an act forward. I was the critic for culture myself, and certainly I did a lot of consultation on that as well. There have been a couple of private members' bills that have come forward.

Do you believe there needs to be an updating of the Ontario Heritage Act, and do you think it needs to deal with some of the specifics of the role you play, at least what I view as the somewhat limited role you play sometimes in terms of the protection of our heritage?

Ms Taylor: We do play a limited role. Designation is the major tool for protection of heritage properties within the province. I believe, as an informed advocate of heritage conservation, that the act does need to be amended. I have, through various volunteer roles, sat on various standing committees during the last 20 years, as I mentioned, including the round table discussion that your party held that was very interesting and then resulted in my short-term appointment to a committee that Isabel Bassett convened following your round table discussions which dealt with issues of relevance of the current act and proposed changes to it.

So, yes, I think everyone agrees that there should be amendments. I am somewhat familiar with the private members' bills that have been proposed, and I think

they're all going in the same direction. I'm also, again, somewhat familiar—as chair, I understand that I would be fully briefed on what's going on in terms of potential changes to the act. I know that the Red Tape Commission is dealing with some procedural issues and some issues of clarification, which I think would likely be very valuable to advancing the act.

Mr Gravelle: One of the specific aspects that comes to mind is the fact that demolition permits can only be delayed and not denied. Do you feel that when the new act comes forward, and I hope it does, that indeed more power should be given to the Conservation Review Board in order to maintain the buildings in a more specific way?

I realize this is not a simple matter in the sense of implications it has for municipalities and other things, but I'm curious. Obviously with the work you've done and the role you've played in the past, your opinion would be very interesting.

Ms Taylor: I think it would be a very substantial change to the role of the CRB if it was given any powers to make decisions. I'm not against that, but I think that would be a very substantive change.

However, I think that even though we don't have power, in effect, to change things, our opinion is sought in a very serious way and that people do listen very carefully to what we say. In that light, I think it might be possible that the CRB's mandate was extended somewhat.

On a positive note, I've sat at hearings where the result has been very good. For instance, with the Regent Theatre in Oshawa recently, the advice the CRB gave to the municipality was that they needed to make serious consideration of what to do with this very important property. In the end, they decided to buy the building. I think that kind of discussion, which is out in the open, which is public discussion and where the public can participate, is very important to the process.

Mr Gravelle: Not every community, of course, has a local architectural conservation advisory committee. Do you think there should be some more encouragement to have every community or municipality have a LACAC in place, as they're called?

Ms Taylor: I think that would be very helpful. The volunteer community in heritage is very, very strong, but they also have a lot of things on their plate. I think any support that legislation could give to the community would be appreciated in that way, and also support just in terms of proactive issues.

Mr Gravelle: Certainly as vice-chair you played a very significant role and as chair you will, but would you view it as part of your role, then, to at least privately advocate to the minister or to the government some of the changes that should go forward, or do you view it as being simply, "This is the mandate that we have right now as the Conservation Review Board"? Certainly I do recall your involvement as well, and I think you have a significant role to play in that sense, but would that be part of your plan, to at least put forward some ideas for

how you think things should be changed in terms of updating the Ontario Heritage Act?

1140

Ms Taylor: Unlike some other positions as chair, my role as an advocate is somewhat tempered, because what we're supposed to do is be impartial and hear everything independently. So if my opinion was requested, I could certainly talk to people on the board to find out what the general attitude was toward change. I think I could provide information to the minister in that way.

Mr Gravelle: Is it fair to say, then, that if your appointment goes forward—and I suspect that it will. I think it should. If the Conservation Review Board was asked, “What changes do you think would be useful or necessary?” would that make it easier for you to bring forward recommendations? Would that be something that you would encourage or accept, if a minister came forward and said, “We're planning a change, and we want to know what you think”? Or do you feel that would be a difficult spot to be in?

Ms Taylor: It might be a difficult spot to be in. I'd have to think about the particular question and also the particular part of the act that we're administering, because it's quite specific.

The Chair: We now move to Mr Martin.

Mr Martin: I just want to play devil's advocate for a minute and ask you, why do we want to save all these old buildings anyway when we're moving into a world that isn't so much concerning itself with buildings? It's more communications that are international, travel moves, money moves—

Ms Taylor: You mentioned the word “travel,” which is a direct lead-in, why we travel. When I travel, I travel to look at buildings which are of merit, which excite me, which have a history that can tell me something about the community in which they are and reveal something about the people who have lived there and who live there now.

In terms of architectural heritage, buildings are among the largest artifacts that we have which describe the social and cultural history of our people. It's a very diverse history. It represents not only monumental buildings that we are used to preserving, such as this building, but also a very diverse range of indigenous buildings which reflect diversity of culture and native heritage as well. So I think that in terms of preservation, it's not only not anachronistic—which is a double negative—but it's the key to understanding our future and our relationship to our built and natural environment.

Mr Martin: With that in mind—and I agree with you that those are all very important things—do you see the move by the present government to sell off public properties as a threat to what you've just described?

Ms Taylor: I think there are buildings that have very distinct merit for architectural, cultural and social reasons. Some very significant ones are owned by this province. When they are threatened, I think the province should take very seriously what could be lost by not preserving those buildings. By being lost, I mean what's lost to the continuity of cultural history and also as a resource in our province.

Mr Martin: What about new buildings? Of course, the buildings that we're preserving now were new buildings at one time. We're building new buildings now that were built by government—there are a couple in my own community—and they are on the auction block at the moment. Is that a threat as we look forward to what our children or their children may want to do in terms of preserving their history, culture and memories?

Ms Taylor: I think that could potentially pose a threat to continuity. I think the heritage community, on a local, national and international level, now recognizes—it used to be that buildings 40 years of age or older were considered potential for designation. I think that now, as we appreciate the architecture of modernity, we are becoming more aware of the importance of other types of architecture and the potential loss that a loss of those buildings could mean.

Mr Martin: In your experience, is it easier to protect buildings if they're publicly owned as opposed to privately owned?

Ms Taylor: That depends. If a building is privately owned and the owners of the building are committed to the preservation of the aspects of historic merit that make it important to begin with, then I think the private realm does a very, very good job of preserving those buildings.

Similarly, with publicly held buildings, I think that there are various advisory roles between government ministries that provide information about public buildings from one to another and that the opinions of those agencies should be both sought and listened to in order to make sure we can protect our public buildings. But in terms of whether one is better than the other, it's too general a question for me to really advise on.

Mr Martin: Another issue was raised before Christmas as we looked at this new Ontarians With Disabilities Act and our ability to, first of all, make sure that new buildings are accessible: is it an impossible task, an out-of-the-question, expensive proposition, to think that we might make our heritage buildings accessible? There was the issue brought up on many occasions that it's just too expensive. What would your take on that be?

Ms Taylor: Professionally, I deal with this issue quite often. Heritage buildings are each very different, and the reasons for architectural merit have to be assessed in terms of deciding what the appropriate solution is. From a heritage architectural standpoint, that's what we have to do. You have to look creatively and very carefully at the ways that you can incorporate issues of access especially into public buildings. It pertains not only, but primarily, to pedestrian access and wheelchair access, but also has to do with issues of signage, issues of life safety in buildings, and other such issues. Most heritage buildings can be made, if not 100% accessible, somewhat accessible or more accessible than they are currently, and I think that's something that is promoted by the building code and also by the public.

Mr Martin: What's your view or thinking with regard to the recent plans unveiled for the Royal Ontario Museum, to take an old, beautiful building and reshape it,

I suppose, into this more modern one? Any thoughts there?

Ms Taylor: Actually, I have a lot of very personal thoughts on that, but they wouldn't represent what I would represent as a member of the board. I'd actually probably temper my comments if I were speaking as chair of the board. But I can say that in terms of designing additions, renovations and restorations for historic buildings, it is very important to consider the aspects that distinguish those buildings and to protect those aspects. That doesn't mean we have to be slaves to history. It means we have to look creatively and with due diligence at what should be preserved and to bring that building into the future in a way that is respectful, because unless heritage buildings become part of our future, they have a limited interest to the public and to people's use of them.

Mr Martin: Has that issue been brought before the board, the question of the Royal Ontario Museum and what has been proposed?

Ms Taylor: No, it has not.

Mr Martin: Do you think it should?

Ms Taylor: That's not the mandate of the board. The board looks at aspects of proposed designation, and that wouldn't come up under that particular aspect.

Mr Martin: Do I have a bit more time, or am I done?

The Chair: One more question.

Mr Martin: Because you spoke I think rather personally a few minutes ago on your own personal opinion, should it be brought before the board?

1150

Ms Taylor: No, I don't think so. I don't feel that's the purpose of the board for that particular building. I don't think it's within the mandate of the board.

Mr Martin: You have no concerns that we're not going to be respectful?

Ms Taylor: Without being evasive on that, I'm not sure. Do you want my personal opinion on that?

Mr Martin: Sure.

Ms Taylor: I think it is a very bold design. In the final resolution of the design, the designers will have to be very careful about how they approach the details of resolution as the new crystal approaches the old stone of that very fine building. I think the history and culture that's represented by the architecture should have a strong continuity in terms of the realization of the new design.

The Chair: What a fine answer that was. That reminded all of us here who are not artists of when the art teacher came around to look at our work and always said it was interesting. I always thought that was a very safe word. Anyway, we'll now go to the government.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time. Thank you very much for being with us today.

Ms Taylor: Thank you very much.

The Chair: You may step down.

There are a couple of things I want to deal with. I think you probably want to deal with the appointments we've had this morning, as well as another matter.

Mr Wood: I think we have consensus to do that, so perhaps we can proceed with that, and then there's another matter.

The Chair: Let's do that first of all. We'll go through the individual appointments this morning for approval or not. The first is Richard Woodfield, intended appointee as member, Social Benefits Tribunal.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, I'll call for the vote. All in favour? Opposed? The motion is carried.

Mr Johnson: Mr Chair, one member put his hand up for both votes, and I was a little concerned about that. I didn't know which one was intended.

Mr Martin: I was opposed, Chair.

The Chair: He was opposed.

The second one is Harold Hands, intended appointee as member, Ontario Securities Commission.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? All in favour? Opposed? The motion is carried.

The next one is Anthony Annunziata.

Mr Wood: I move concurrence.

The Chair: Any discussion?

Mr Martin: Just to expand on your line of questioning and a concern that I have that the province is focusing more and more on a casino economy, it now seems even in the marketing of our tourism attractions and assets we're turning to that as a quick fix, as a way to get more people in, rid them of their money and then send them on their way again. The potential for that has to hurt even many of our own constituents. This appointment reflects that very clearly, so I'll be voting against.

Mr Gravelle: Just to follow what Mr Martin is saying, I think one can't help but have concern when one sees the trend that we're seeing in terms of even marketing, when you've got the vice-chair—we didn't know he was the vice-chair until he pointed it out to us today, I believe—of the Ontario Tourism Marketing Partnership Corp with the background that Mr Annunziata has. I think it suggests a direction that is of great concern when we see the proliferation of gambling in this province.

I also want to express some concern about the role of the Northern Ontario Tourism Marketing Partnership, which has been dissolved, in fact, and is going to come under the umbrella—and there are some great concerns. Mr Martin had an opportunity to address some of those concerns in his questioning and I have them as well in terms of the role that we're playing up there, and Mr Annunziata didn't have a great familiarity with that at all. That concerned me, so I won't be supporting his appointment.

The Chair: Any other comment? Then we'll have the vote on Mr Annunziata. All in favour? Opposed? The motion is carried.

The last one for this morning is the intended appointee as chair, Conservation Review Board, Jill Taylor.

Mr Wood: I move concurrence.

The Chair: Concurrence is moved. Any discussion?

Mr Martin: For lack of a better word, I think this is a rather refreshing appointment. It doesn't smack of some of the partisanship, cronyism, patronage that we see too often before this committee. In that tone, I will be supporting this appointment.

The Chair: All in favour? Opposed? The motion is carried.

COMMITTEE BUSINESS

The Chair: We have other business. I believe there was going to be a brief discussion of the possibility of the CCACs.

Mr Wood: I think Mr Gravelle was about to ask that we deal with item 3 now, which I'm prepared to agree with.

Mr Gravelle: Mr Chair, I know it's scheduled for later this afternoon, the agency review proposals. Mr Wood and I have had a chance to chat, and I had a brief opportunity to talk to Mr Martin about what's happening. I know Mr Wood wants to make a proposal, and perhaps I should let him do that.

Mr Wood: I move that item 3 be deferred to the first meeting of the committee after April 25. The government members would like to get input from the minister or ministers affected by these, and that input is not going to be available until after April 15. By the 25th we should have an idea of when we're going to have the input, if indeed we don't have it. So I think we could usefully deal with this at our first meeting afterwards, which at least will give some indication of when we're going to have the input, if not in fact—

The Chair: All in favour of Mr Wood's motion? Opposed? The motion is carried.

Is there any other business that we want to deal with at this point in time? If not, we will reconvene at 1 o'clock sharp.

The committee recessed from 1156 to 1304.

The Chair: I'm going to move right along. Mr Gravelle, you have a point about something?

Mr Gravelle: Yes. I wonder whether we could determine at this point when our next meeting might be. I think there's general agreement that meeting next week isn't possible, in terms of providing material, and that perhaps two weeks today, on the 17th—I don't know how that works for everybody on the committee, but I'm wondering if that could be agreed upon at this stage. I haven't had a chance to discuss it with you, Mr Chair.

Interjections.

Mr Wood: There seems to be some favour on this side of the room for April 17 as our next meeting.

Mr Gravelle: Is there any problem?

The Chair: It doesn't fit me very well. Can we decide that at the end of this meeting?

Mr Wood: I think that, Mr Gravelle's schedule being what it is, he was hopeful we might decide now.

Mr Gravelle: If it's difficult to reach a decision right now, we can certainly discuss it. I don't mean to—

Mr Wood: Would April 24—

Mr Martin: If the 17th is a bad day, is the 16th equally bad?

Mr Wood: It is bad, yes. It's bad for us.

The Chair: It is? The 22nd and the 23rd are great, Monday and Tuesday.

Mr Martin: It might not be good for me.

The Chair: Monday the 15th is great. No, it isn't necessarily, is it?

Mr Martin: The 15th would be fine by me. The 15th, 16th or—

The Chair: Let's all give it some thought. Meanwhile, we'll go on to this, if we can.

Mr Wood: Why don't we deal with this now and have it done?

The Chair: I was waiting for Mr Gilchrist.

Mr Johnson: He wants the 17th.

The Chair: He wants the 17th? Is that what everybody wants, the 17th? I'll accommodate it.

Mr Martin: Who doesn't it work for? Doesn't it work for you?

The Chair: Just because it doesn't work for one person—if it works for everybody else, I'll be here.

Mr Wood: April 17 it is.

The Chair: April 17 at 10 am. OK, that's our next meeting. Done. What a decisive group.

INTENDED APPOINTMENTS

GLORIA HINTON

Review of intended appointment, selected by official opposition party: Gloria Hinton, intended appointee as member Council of the College of Respiratory Therapists of Ontario.

The Chair: We will move now to the selections that will be coming before the committee: Gloria Hinton, intended appointee as member, Council of the College of Respiratory Therapists of Ontario.

You may come forward. As you know, you have an opportunity to make an initial statement, and then there will be questions from members of the committee. Welcome to the committee.

Mrs Gloria Hinton: Thank you for inviting me to participate in the interview process concerning my potential appointment as a member of the Council of the College of Respiratory Therapists of Ontario.

I reside in London, Ontario. As you probably know from my resumé, I have no professional experience in the health field. I do, however, have considerable experience in management, organization, training and, more recently, volunteering in our community. I should start by giving you some information on my background.

My primary business career has been with Bell Canada, in the area of customer service. During a period of 29 years, I've managed various groups in a highly measured and monitored industry, as you probably are fully aware. While much of my focus was on developing

working practices, I've also managed teams directly involved with customer service.

In that regard, there was always a need for evaluating performance and, where necessary, taking action and giving ongoing training to ensure that the needs of the business were met. During my career, I also often had to negotiate critical situations with customers and clients alike to ensure total satisfaction and to ensure that the company's standards were met throughout.

As you're aware, the company is required by law to perform according to tariffs. As such, any contravention of those tariffs goes directly to the CRTC, which I'm sure is a body you're all fully aware of. Part of my job, for what seemed like an eternity, was to be the liaison to the CRTC. Whenever any subject matter came to the CRTC as a result of either a customer complaining or the CRTC questioning one of our decisions, I was their primary liaison and, as such, was there to protect the company and our position.

I've also had experience in facilitating training in the Myers-Briggs program, with a focus on leadership and conflict resolution.

My last professional role was as a consultant with Bell Canada International in London, England. My role was to design and implement a brand new customer service division for a new telecom company setting up in London, England. For me, this was a great opportunity, given that I could take my experience from Bell Canada and from my other related opportunities and create a whole new division, given my expertise. Working in England also gives you a whole new set of priorities to look at, in that all employment and new companies are now under the guidelines of the EEC, which in itself is a huge item to manage when setting up a new company.

1310

Since my retirement I've focused on volunteer work in an effort to give back to the community in some small way. I have participated at public libraries in reading programs and at their annual sales. I've worked at the University of Western Ontario looking after gardens. You may smile at that, but they need volunteers to look after gardens at the university grounds and I've enjoyed doing that.

I've been a warden and past chair of the board of management of St John the Evangelist Church. The board consists of 21 people who manage the operations of the church and a budget of \$350,000, so that was quite a challenge.

At the 2001 Canada Games, I was communications and media rep for the Fanshawe Lake venue. I currently work at the pre-admission clinic at the University Hospital in London, and I'm really rather enjoying that. When I lived in Toronto back in the 1980s, I also worked as a volunteer at Mount Sinai, in the ICU program there.

My understanding of the role of the council is to ensure that the college regulates the role of respiratory therapists in a way that guarantees individuals have access to services provided by competent individuals and

that clients are treated with respect and sensitivity in their dealings with these professionals.

I understand that the college is governed by two acts, and those are the regulations that govern how those positions are modelled.

In the past 18 months I've had dealings with respiratory therapists as a result of two very serious illnesses in my family. I know first-hand the very real responsibility these individuals have in caring for sometimes life-threatening situations. For my part, they are obviously a very integral part of the health system, especially in today's environment where health care is foremost in everybody's mind.

I do hope I can bring to the council the benefit of my background and offer an objective approach to the role of the council.

I shall be happy to answer any questions you might have.

The Chair: Thank you very much. We commence with the third party on this occasion.

Mr Martin: Thanks for being here this afternoon. I'm just wondering why and how you came to apply for this particular position. The piece at the end of your presentation certainly gave me some sense of your interest, but maybe you could expand on that for me and explain why this particular appointment and how you came to apply for it and be accepted.

Mrs Hinton: I went to the constituency office of Dianne Cunningham to find out if there was something I might be good at—let's put it that way—something where I could use my expertise. I certainly did not want a full-time role; I wanted a part-time position. In looking at the roles I could do—I think I was given about half a dozen to look at—given the parameters and requirements of each of those and given that I had just a little background there, in that I've dealt with these people, I know what their job is, I know their pressures, I thought this would be a good one for me. And given that it was primarily Toronto-based, which is an easy place for me to travel to, it fit with what I could contribute.

Mr Martin: I note on your resumé that your objective is to get a position on the Ontario Rental Housing Tribunal. Is this a step on the way there?

Mrs Hinton: No. I should clarify this for you. Originally I applied to that tribunal and was accepted for that tribunal. However, being a single sitting member on that tribunal was very, very uncomfortable for me, and I stepped aside. I was only there for a very, very short time last fall.

Mr Martin: Did you know Dianne Cunningham before you went to the office to inquire into this position or other positions?

Mrs Hinton: Do I know her personally, or do I know of her?

Mr Martin: Have you worked on any of her campaigns?

Mrs Hinton: A long, long time ago I answered the phone for a campaign.

Mr Martin: OK. Thank you very much.

The Chair: Government members?

Mr Wood: We'll waive our time.

The Chair: The government has waived its time, so we go to the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good afternoon, Ms Hinton. You said something just a few moments ago that I would ask you to perhaps clarify for me. You have in fact had a position on the Ontario Rental Housing Tribunal.

Mrs Hinton: For a short time.

Mrs Dombrowsky: But you've indicated as a single sitting member. Would you clarify that? Because my understanding is that the tribunal, when you hear cases—

Mrs Hinton: It's not a tribunal panel per se. It is a single member who hears and adjudicates. I know the title may be a bit misleading, as I found out, but it is a single sitting member who adjudicates those cases, not a panel per se.

Mrs Dombrowsky: So could you perhaps explain a little more fully why in that role you were not comfortable?

Mrs Hinton: I have to be honest. I went in thinking, like you, a tribunal. When it dawned on me, if you will, that this was a single sitting case, I thought, fine, I can do this; no problem. But I found it very uncomfortable. I'm much better in a team situation or in a committee situation, albeit I've chaired many committees. But I work better in that environment, in that I can share my expertise and I can learn from others at the same time. I find it a lot more comfortable to work in that environment. That's why I chose this particular one, because it is a committee per se, structured on a committee basis. That's why I chose this one too.

Mrs Dombrowsky: What is your understanding of the role of the council?

Mrs Hinton: My understanding is that it administers the college's affairs. It regulates the role of the therapist. I understand there are two acts that govern the college, so it's a question of monitoring the regulations and enforcing the regulations where necessary. I also understand that within the council there are committees that are set aside to take care of patient needs, to hear complaints, to look at disciplinary action when necessary. So I think that's their primary role as the council.

Mrs Dombrowsky: Would you be able to perhaps explain your understanding of a self-regulating body?

Mrs Hinton: I understand that there was an act in 1991, I believe, that established this college as self-regulating, along with several others. "Self-regulating," in my mind, says that there is a council there that monitors and regulates. There are regulations in place which the council has to enforce and maintain. For my money, I think that if a college is self-regulating, it's a far better situation than having it go through so many steps in order to resolve or monitor its role in the profession.

Mrs Dombrowsky: That it is self-regulating, I think as well, would suggest that people of the profession—

Mrs Hinton: Oh, yes, it's self-regulated in the fashion that there are people from the profession, plus there are

people outside the profession. So given that those two are of a like mind, they are the ones who actually govern the college.

Mrs Dombrowsky: There are those in the college who have background in the area that is being regulated. As I read your resumé, which is impressive, I am also struck by the fact that you really don't have any related experiences in your own life, other than perhaps a personal one. I've got to think that a number of the issues that would be considered by this council would be of a highly technical nature. So you believe that you would have the experience and understanding to participate in those sorts of issues?

1320

Mrs Hinton: I think, given that a portion of the council already has that professional experience, what I would bring to the table is an objectivity that comes from outside that profession. So I would hope that I could add that to any decisions that might be made and that I wouldn't necessarily need to be technically correct on all of those because I would be counting on my counterparts on that council to do that and to inform us and educate us to make those decisions.

Mrs Dombrowsky: Do you know with certainty that there would not be situations like the Rental Housing Tribunal where you would be asked to participate by yourself on any particular matter?

Mrs Hinton: My understanding is that it's all in-committee work and that when the council sits, it sits as a body.

Mrs Dombrowsky: So you've had the opportunity to clarify that?

Mrs Hinton: Yes. I wanted to make absolutely sure of that before I offered my name.

Mrs Dombrowsky: Are you familiar with any issues that are before the council at the present time?

Mrs Hinton: Not other than what I've read in regard to the rather rocky experiences of last fall in terms of the testing program that was about to be put into place, but I understand that is all in abeyance at the moment. There were some agreements made so that the therapists wouldn't walk out en masse. I gather that's an issue that will still be an ongoing situation that they'll have to examine if testing is indeed an item that is to be brought forth.

Mrs Dombrowsky: Do you have any particular opinions about testing?

Mrs Hinton: I think "testing" is a word that's been bandied around so much in government.

Mrs Dombrowsky: We hear it a lot.

Mrs Hinton: Whenever you hear "testing," there's a certain hairs-on-the-back-go-up type of thing. I think quality assurance in any profession is necessary. How that's done is another whole issue. I think that's what the council's job is, to make sure it's done in a fair and equitable manner. I gather that is probably one of the things that is still on the agenda. I've certainly had experience in quality control, if you will, performance reviews, all of those, applying the standards. Even though

I haven't had it in the health department, I've had experience in doing that, in writing standards. So I would hope I could bring some objective point of view to that.

Mrs Dombrowsky: Have you had any experience in labour relations?

Mrs Hinton: In terms of handling people?

Mrs Dombrowsky: Contract disputes.

Mrs Hinton: Oh, yes. For a very short time frame, oh, gosh, back in the late 1970s, I did hiring for new departments. In Bell Canada we had three unions to deal with. I think there are more now, but when I was working we had three unions and associations that we dealt with on a regular basis. You may know that we've had strike situations in the past. For a short time back in the 1970s, I actually sat on a mediation council having to deal with situations in trying to deal with the settlement and how we would go back to work and the ramifications of accepting people back to work who had been on strike etc. So I'm not new to that situation, unfortunately.

The Chair: That's the last question. Thank you very much for being before the committee. You may step down.

SHERRI BEZAIRE

Review of intended appointment, selected by official opposition party: Sherri Bezaire, intended appointee as member, Grey Bruce Huron Perth District Health Council.

The Chair: Our next intended appointee is Sherri Bezaire, who is the intended appointee as a member of the Grey Bruce Huron Perth District Health Council. Welcome to the committee. As you would know, you have an opportunity to make an initial statement to the committee, and then questions will emanate from members of the committee.

Mrs Sherri Bezaire: Thank you, Mr Chairman and members of the standing committee. I am thrilled and excited to be here. I look forward to the possibility of being selected to sit as a consumer representative for the Grey Bruce Huron Perth District Health Council.

I grew up on a small farm just outside of Clinton and I now reside in Clinton with my husband, John, and our three children: Regan, who is six; Rachel, who will be five on Monday; and Sam, who is 22 months. My husband and I own our own company, which provides retail and institutional food service throughout Huron county. In the past, I was the chairperson for the Clinton Community Policing Committee, which was designed to act as a liaison between the police and the community.

I feel that I am a typical consumer of the health care system. Being the mother of three small children, I often find myself in the doctor's office for checkups or in the emergency room because of accidental falls. Just a few days ago I was reminded of why we need to preserve rural health care. Our son, Sam, had an accident, so I rushed him to the emergency room, which is conveniently around the corner. Everything turned out to be OK, but the care and compassion that I received from the

doctors and nurses was above average, because not only were these people professionals, but they were also friends and acquaintances.

I also have aging parents, whose needs for health care are continuously changing. The fact that we live in the third-highest region of seniors in proportion to population, and with many of our areas being medically underserved, is of great concern to me.

My interest in rural health goes beyond that of a typical consumer. For the past two years, I have been enrolled in the human science program at Athabaska University. I have recently applied for a transfer to the health science program at the University of Western Ontario, with an interest in rural health. After completing my degree, I intend to apply to medical school to further my education.

There are many issues that need to be addressed regarding rural health care, but most important is finding a way to efficiently increase and maintain quality health care in the Grey Bruce Huron Perth district. I feel that my perspective on rural health care, my past educational experience and my intent to continue my studies in rural health, along with the fact that I am a typical consumer of health care, makes me an excellent candidate for the position of Huron representative on the Grey Bruce Huron Perth District Health Council.

The Chair: Thank you very much. We will commence our questions with the government.

Mr Johnson: Sherri, thanks ever so much for being here today and for volunteering on this very important board. I was wondering about the kind of business you're involved in.

Mrs Bezaire: We own two restaurants: one in Clinton, Willy's Burger Bar, and one in Seaforth, Freeze King. We also do the food service for the cafeteria at St Anne's secondary school in Clinton.

Mr Johnson: Tell me a little bit about your ambition, if that's what it is, to be a doctor.

Mrs Bezaire: I never really considered myself to be somebody who would be interested in health care when I was younger. Becoming a doctor was not an aspiration that I had until I had children. Then, having many experiences in the hospital setting and understanding the needs of doctors in rural areas, I have come to the decision that I would like to become a doctor and return back to Clinton to open my own practice.

Mr Johnson: Mr Chairman, that's all I had. I just wanted to welcome Sherri, hopefully, to the district health council.

Mr Wood: We'll waive the balance of our time.

The Chair: We'll move to the official opposition.

Mr Gravelle: Welcome, Mrs Bezaire. Certainly you bring a very interesting perspective: a mother of three children under the age of 6. That will be very interesting. I must say too that the Grey Bruce Huron Perth District Health Council is not quite as big as the Thunder Bay district, which I come from, but it is a big district.

I am curious about what role you see yourself playing in the sense of—you obviously have given it some

thought. I notice in your material that's provided to us that you're taking some courses and you're trying to learn. Have you given some thought to district health councils themselves and the role they play and whether they should have a greater influence in terms of some of the decisions? Has that entered your mind in terms of whether you think health councils themselves are playing the role they should?

Mrs Bezaire: Since I'm not a member of the health council right now, I don't really know everything they have done. As a consumer representative, I would be there to represent the people of the community, their cares and what they would like to see happening within the community as far as health care being provided because of the doctor and nurse shortages. That obviously has been a big concern, and I know the district health council has been addressing that concern, doing different studies, and I think they are certainly trying to represent the people and put forth different recommendations to the government as far as rural health is concerned.

1330

Mr Gravelle: Certainly one of the aspects of health care that has been talked about a lot in the last year or so has been the home care situation in terms of the cutback in the number of acute-care beds and the fact that people are forced to leave the hospitals quicker and sicker. The term has become pretty much familiar, but I think it's probably pretty true.

What is the situation, as you understand it, in terms of the home care difficulties in the Grey Bruce Huron Perth area?

Mrs Bezaire: I'm not very familiar with the home care situation. I'm sure that everybody feels the same way about, like you said, being treated and left and sent home earlier. I don't think I can really answer any more to that question.

Mr Gravelle: Mrs Dombrowsky, I'll pass it on.

Mrs Dombrowsky: Good afternoon, Mrs Bezaire. I'm interested to know how you became aware of district health councils and how it has come to be that you've decided you'd like to participate on one.

Mrs Bezaire: I guess the first time I heard about the district health council was when they were doing the restructuring in our area, talking about hospital closures and this sort of thing. In November, I answered an ad in the paper for the district health council. It had been a year since I had stepped down from the committee for community policing, and I felt that my son was old enough and I could get back into community involvement. Because of my interest in the health care system, I answered the ad. I sent in my resumé, I got called for an interview in November, and actually, to be honest, I thought that I didn't get the nomination, because it's March. I didn't hear anything until I got a call from the office here that I needed to come in for an interview.

Mrs Dombrowsky: Very good. You're coming to know first-hand that the wheels of government can move very slowly.

I'm from a rural part of Ontario too, so I certainly appreciate the many reasons that you've already stated

about why you'd like to participate on a district health council. Are you familiar with the term "primary care reform"?

Mrs Bezaire: No.

Mrs Dombrowsky: OK. I'm sure that when you are appointed to a rural district health council it is going to be a term that you will hear much more about, and I'm sure you will find it interesting, certainly from the perspective of how it will improve services within rural Ontario, should it ever come to pass.

I understand, in the background, that the doctor shortage is an issue in your part of the province as well, as it is in many parts of Ontario. Is that an issue for you? What role do you think the district health council might play? In fairness to you, you've come forward in very good faith and you've been very open, and I think it's very refreshing that we have someone who is truly interested in rural health who wants to come and work to build a better rural health system in Ontario.

District health councils have been criticized, though, by the public because they are bodies that really have no power. They really can't do anything. They can advise, but there's very little that can be demonstrated that they actually do in terms of effecting any kind of service changes or service deliveries within a particular area. Do you have any sense or feeling or bias about the role of district health councils, how they might address—you know, doctor shortage is an issue in your area.

Mrs Bezaire: I know that the district health council just completed a study on the nursing shortage in the Grey Bruce Huron Perth district, and I would like to see them perform a similar study on the doctor shortage.

Mrs Dombrowsky: And then what?

Mrs Bezaire: And hopefully be able to implement something. I am familiar with ROMP, the rural Ontario medical program to get more undergrad people coming into rural areas. Hopefully, they say, when you practise in a rural area, sometimes you will stay. They also offer incentives—tuition being paid if you will sign a contract to stay for at least four years in the community. They also have the other program CROP, which has medical students going into the high schools, and I think that's a big concern: not very many people from rural Ontario aspire to becoming a doctor. It's not something that's talked about a lot; we don't have the resources. I think it's important for students in high school to understand that becoming a doctor is feasible. I would like to see the district health council look into programs like this to help eliminate the doctor shortage.

Mrs Dombrowsky: Are you familiar with community health centres?

Mrs Bezaire: No.

Mrs Dombrowsky: They are a model of health delivery in rural Ontario as well as in urban settings. That's something I'm sure you will be hearing more about when you are appointed. I do wish you very well. It's nice to see someone who's young and full of energy and enthusiasm put their name forward to serve in this way.

The Chair: Speaking of someone young and full of enthusiasm, we go to Mr Martin.

Mr Martin: Thank you very much. Just hearing that makes me feel young and full of enthusiasm.

Thanks for coming this afternoon. Looking at the letter you wrote to Mr Whaley, you suggest in the second-last paragraph that the DHC, "continue[s] to struggle through a difficult and challenging period of time for our health care system." What did you mean by that?

Mrs Bezaire: Because of cuts to health care and the talk of restructuring, closing hospitals and this sort of thing in the rural area—it's of great concern, especially to the consumers in the area, what kind of health care is going to be there for them, for their children, for their grandchildren and for the future. I think right now it's of major concern to make sure that we maintain health care for the future.

Mr Martin: You mentioned as well, I'm not sure whether it was in answer to a question or in your presentation, that doctor shortage was a big issue in your area. What are some of the other issues?

Mrs Bezaire: Doctor shortage, nursing shortage, working environment, especially for nurses. Most nurses are working two jobs. There are not very many full-time positions and that is causing stress. Also, a third of the nurses are going to retire within the next few years and that's something we need to look at, especially when only about 10% of the nurses who actually reside and work in our district are under the age of 30. That's going to have a huge impact on the health system.

Mr Martin: Some of the material that was prepared for us today in interviewing you talks to that issue of the nursing shortage and the fact that it's difficult for younger nurses to find full-time work. Why would it be? It has been indicated that there's a shortage and you've said that that is absolutely a problem in your area. Why aren't they hiring more nurses full-time then?

Mrs Bezaire: I'm not sure why. I don't know if it's cuts to health care, but right now in our area most of the nursing positions are casual part-time.

Mr Martin: And that's obviously—I'm just looking at my own community of Sault Ste Marie—not very attractive. Nurses are looking for full-time work with all the—

Mrs Bezaire: That's right. They want job security, they want benefits, they want—

Mr Martin: Yes, and it would make sense that if you want nurses to come to your area and practise, you'd want to do that.

You mention as well the age of the nurses in your area. We talked about offering full-time positions. Is there anything else that could be done to deal with the aging of that population?

Mrs Bezaire: After reading the study that the district health council did on nursing—the older nurses are not encouraging younger people to go through for nursing because they're frustrated with the system, they're frustrated with working two jobs, the work environment,

especially in rural Ontario. They have to know everything; they have to specialize in everything; they have to do everything. Therefore, when the nurses aren't encouraging other people to go into nursing, it's hard to attract younger people to come to rural Ontario.

1340

Mr Martin: And you think that as a member of the district health council you might be able to help in that respect?

Mrs Bezaire: Hopefully.

Mr Martin: Anything specific that you think you'd like to do?

Mrs Bezaire: I'd like to see more full-time positions come up and a better work environment for the nurses, so that we can attract—I'd also like to see different recruitment programs like we see with the doctors to encourage nurses to come to rural Ontario, different incentives, different signing bonuses, stuff like this, and sign contracts with them so we can at least get them to stay for some time.

The Chair: Thank you very much. That completes our questioning. You may step down.

ROYAL POULIN

Review of intended appointment, selected by official opposition party: Royal Poulin, intended appointee as member, Deposit Insurance Corp of Ontario board of directors.

The Chair: Our next intended appointee—I'm going to move to the one listed at 2:30, who is available at this time. Our other appointee is not available at this time. I ask Mr Royal Poulin to come before the committee. He's an intended appointee as member, Deposit Insurance Corp of Ontario board of directors.

Welcome to the committee, Mr Poulin, or should I say welcome once again to the committee. We've had the pleasure of having you before us on a previous occasion, and it's nice to have you back. You have an opportunity, as you know, to make an initial statement if you see fit, and then you will be questioned by the members.

Mr Royal Poulin: Thank you, Mr Chair, and thank you to the panel for inviting me today to answer any questions you may have. You have my biography in front of you, I believe, and I'm not going to bore you with the details. You have them there.

I'd like to state that I've been a member of a *caisse populaire* since I was about 10 years old, way back when I was in elementary school. The school trustees in those days were trying to help us realize what saving meant. I joined the *caisse populaire* when I was 10 years old, and I've been a member ever since.

I retired last year. During the last four or five months, I believe, members of my *caisse populaire* in Verner asked me if I would serve on DICO. I did some research on what DICO was all about and decided to put my name forward.

I was interviewed by the board of directors of DICO, and then my name was forwarded to the minister for a

decision. I also was nominated by L'Alliance des Caisses Populaires to represent them on DICO. I am fully prepared to serve and represent them if my appointment is confirmed.

That's all I have to say, Mr Chair.

The Chair: Thank you very much. We'll commence with the official opposition.

Mr Gravelle: Mr Poulin, welcome. It's good to see you. Can you tell me, are you still the chair of Ontario Northland?

Mr Poulin: Yes, I am.

Mr Gravelle: A very strong issue, obviously, related to it up in northeastern Ontario, if I may ask you about that. Could you describe for the committee the situation in terms of decisions as they relate to the health of Ontario Northland at this stage.

Mr Poulin: It's been a very public domain, whereby we've been mandated—the board and myself as chair—by the government to seek service improvement. We've been out there trying to improve services. We've also undertaken a process where we're asking the private sector if they could help improve services. No decision has been made. We're going through a process. That's where we are now.

Mr Gravelle: Can you tell me your position related to privatization of the system? There are those of us who feel it needs to remain publicly supported. I know this is a huge issue for the people in northeastern Ontario. I was in North Bay recently, and it's certainly a huge issue there.

Can you tell me what position you are taking on that and what position you feel the government should be taking?

Mr Poulin: My position is to try to find the best vehicle to give the best services to our clients, being our freight customers and our passengers. That's my position, and we have not come to any conclusion yet. As you know, the process is underway. I also understand and realize that it's a very important issue for northeastern Ontario, and all of northern Ontario for that matter. I've done a lot of consultation, and I've met with a lot of people and listened to their positions, but I certainly have not come to any conclusion yet.

Mr Gravelle: Let me ask, if I may, because if I may say, I think there may be a byelection in Nipissing riding very soon, and it's probably going to be an issue that will be coming up very strongly during the campaign. Obviously, we would like to get your thoughts on it, so I appreciate your comments, such as they are.

I guess I should be asking you about the Deposit Insurance Corp, but let me ask you one more question about your past life in terms of the northern Ontario heritage fund. The fund obviously is something that's very important to northerners. There are some of us who think the fund has moved very far from its original mandate as it was put together by René Fontaine, the minister who first brought it together. You are no longer the chair of the heritage fund—or are you still the chair?

Mr Poulin: I was never the chair of the heritage fund.

Mr Gravelle: You ran it. You were far more important.

Mr Poulin: I was the general manager.

Mr Gravelle: You ran it. What are your thoughts in terms of some of the changes that might take place? You are in a position now to perhaps tell us how you feel. I for one must tell you that I still think individual businesses in northern Ontario could probably benefit from selective help from the heritage fund. That was very much changed by the present government. Can you give me your thoughts on that, particularly as you are perhaps in an easier position to comment now than you would have been at the time?

Mr Poulin: The fund was established for economic development. I can't comment on now, but while I was there the fund certainly did fund important projects in the north, and we did provide employment opportunities for people living in the north. So my position is still the same: the fund is very special for northern Ontario and should continue to be a fund for economic opportunity for northern Ontario, and for health opportunity too, if there's a need for that.

Mr Gravelle: If I may just ask you about this particular position, and then I'll pass to Mrs Dombrowsky: in your opinion, is the fund running exactly the way it should? Do you feel it is providing all the benefits it could in terms of enhancing the northern economy?

Mr Poulin: I feel that it is helping the northern economy. I've not been that closely associated with the fund lately, but I've been reading the paper and I've looked at some projects that I think are moving the yardstick for economic benefits and also for health benefits and community improvement.

Mr Gravelle: Let me just take this one step further or at least go back to something. Do you believe, though, that certainly in the north—and obviously you are very experienced in every way in terms of your background. I think I may have been employed with the Ministry of Northern Development and Mines at the same time you were, although you were certainly very senior to me. Do you believe, though, in terms of the development of the economy, that it might potentially be advantageous to help out certain businesses? One of the criticisms of the heritage fund has been that it is restrictive in terms of who can actually access it. Would you think we should be looking again, perhaps, at the possibility of certain businesses being able to receive support from the fund?

Mr Poulin: It's not for me to make that kind of statement. I'm not a provincial politician. I'll leave that up to the masters who make the policies.

Mr Gravelle: You're very careful, really. It would be very interesting to get your opinion.

The Chair: Mrs Dombrowsky.

Mrs Dombrowsky: Thank you very much, Mr Poulin, for coming today. When I was reading the background with some interest—and I don't have a lot of background in this particular area—I could not help but note the decline in the number of credit unions and caisses pops in the province of Ontario. Do you have any understanding

or sense yourself about the health of credit unions in Ontario right now?

Mr Poulin: When I was interviewed by—I'm not sure of his title—the manager or executive director of the board who sits on DICO right now, I was led to believe that the health of the caisses populaires and the credit unions is good, that they have been able to make great strides in improving the financial situation over the last number of years, and that they're doing very well, helping the communities. More and more people, I think, from the area I live in are using the services of the caisses populaires. More and more people realize that bigger is not necessarily better, that services that can be provided by the caisses populaires are equal to or even better than other lending institutions.

1350

Mrs Dombrowsky: Recently, I had credit union people come to visit me in my office. They were talking to me about liquidity pools. Are you familiar with any issues that credit unions have around liquidity pools in the province?

Mr Poulin: No, I'm not aware of that.

Mrs Dombrowsky: The fact that in their industry, their company is required to participate in a liquidity pool, but not all money managers or lenders are required to provide that same insurance: are you familiar with that issue at all?

Mr Poulin: No, I'm not.

Mrs Dombrowsky: OK. Thank you very much.

The Chair: We now move to the third party.

Mr Martin: Good afternoon, Mr Poulin.

Mr Poulin: Good afternoon, Tony.

Mr Martin: I was thinking, when I saw your name this morning, your retirement has been rumoured for a number of years. I guess you'll never quite get there, will you?

Mr Poulin: I'm there.

Mr Martin: You're there, but you just keep taking on more work.

Mr Poulin: Yes. If I'm not there, my wife will be very upset with me.

Mr Martin: Considering your long and rather illustrious career in the civil service, particularly in the north and in the Ministry of Northern Development and Mines and all things northern, why would you be interested in this particular appointment? Maybe I missed that, because I wasn't here for your earlier remarks.

Mr Poulin: My involvement with caisses populaires—not the credit unions, but it's one and the same: when I was 10 years old at elementary school, way back when—that's many, many years ago—the caisses populaires members wanted the young generation to start to understand what saving was all about, what investment was all about, so they created a caisse populaire for the schoolchildren. I joined and I became a member as I got older. I got my first taste of caisses populaires.

I also live in a rural community, where it's very important to have these types of services in the community. They provide a great benefit to the community. People

know each other. It's a great movement and I have supported it. I've been involved with it ever since I was, as I say, about 10 years old. That's why, when I was asked by members of my caisse populaire if I would serve on this board, I did some research and thought that I would have sufficient time to serve and help the caisses populaires and the credit unions to continue to grow.

Mr Martin: You're absolutely right: it is a very, very important institution in a lot of small northern communities. You know, because you live there, that over the last few years, as the big banks moved out of small communities, the credit unions and caisses populaires have actually moved in and, in some instances, taken over the building that the banks vacated. It's the only vehicle local people have that's accessible to do their financial business and is really, really important in terms of economic development and so many things.

What do you hope you can bring to this particular job, considering how important these are?

Mr Poulin: I hope to be able to listen to the members and to the caisses populaires and the credit unions also. As you know, I was nominated by L'Alliance to represent them. I hope to listen to them and bring their concerns to the DICO people. I want to make sure that we're a very efficient operation, that we're there to protect the interests of the members of the caisses populaires and the credit unions. Hopefully we can continue to grow and provide services that the customers or the clients ask of us. That's what I hope to do.

Mr Martin: I'll just make a couple of comments here that may present as somewhat political, but I am a politician.

The northern Ontario heritage fund, as my colleague from Thunder Bay-Superior North said, has changed in its mandate and format and terms of reference. Some of us have been quite critical of that. We think it's moved very significantly from what it was initially intended to do and to support. You were the general manager for a good portion of that and helped in the transition. There are some who believe that it has actually taken over some of the previous responsibilities of some of the mainline ministries. Some of the money that is being spent on capital projects would have, in years gone by, been spent through the Ministry of Transportation or the Ministry of Municipal Affairs or whatever.

Then there's the Ontario Northland Transportation Commission, which was initially put in place to be, as well as a provider of some services, an economic development engine for probably a big chunk of the north. We had norOntair in Sault Ste Marie, and it was a very important employer and service provider, corporate citizen, in our community of Sault Ste Marie. That vehicle has been changed significantly. Its very existence is being questioned at the moment very seriously by the present government.

If we continue to lose those vehicles, the only things we have left are what we develop ourselves, and one of them is the credit union. When you think of a credit union—and in your position now, at this level, I'm not

sure whether you will have the capacity or potential to do anything about it. I've been racking my brain for a little while now: how could we make credit unions or caisses populaires a more integral part of economic development in small communities? Is there any way to change legislation to allow—when we were government, I believe, and correct me if I'm wrong, we gave caisses populaires and credit unions the ability to lend more money to business and to actually come together and do joint loans. Is there anything else we could or should be doing?

Mr Poulin: I think the caisses populaires have come a long way over the last number of years. I remember that when I first tried to borrow money to buy a house—that's many years ago—they could only lend up to maybe 50% or whatever it was, and that was not sufficient money for me to be able to get my house started. I think they've come a long way. They are providing the services that people are asking for. They are open during business hours when people need to have that kind of service. They've gone into the computer world. You can do your banking on-line. They have to compete with the bigger lending institutions or banking institutions.

But I feel that in a smaller community there are more and more people moving from the large institution to the smaller one. I agree with you, Tony, that in a smaller community—I look at Field, for example, where I live, and Hearst; they are not small but they are not large. The credit union has played a very important part in the economy, in helping businesses grow and create new employment.

I think the way we can improve services is by listening to the customers and listening to what they need. If we meet their needs, they will be moving over to us and making us grow. They certainly have a very important role to play in rural Ontario.

Mr Martin: I was just reading recently—perhaps on my way here this morning; I'm not sure—that there's a move afoot to have credit unions become national in nature. Have you heard that?

Mr Poulin: No. Sorry.

Mr Martin: Would that concern you at all? For me, the nice thing about a credit union is that it's small, it's personal. You walk in, you know the manager. Maybe he lives down the street from you and goes to church on Sunday, and you can talk to him. You can go to the annual meeting and have your say. I belong to the ASCU credit union in the Soo. Their annual meeting is coming up in a week or so. Anybody who wants to—the place is usually full and we can go and have our say. If they become national, it seems to me we may lose some of that; I'm not sure.

Mr Poulin: It's hard for me to give you a yes or no answer on this because I don't know the ins and outs of what this would mean, but I would certainly continue supporting the local involvement with the local services. I agree with you that members can go to an annual meeting and have their say, and I certainly would not support the loss of that in the future. But I can't answer

yes or no on a national basis, because I don't know what effect it would have on the well-being of the caisse populaire or the credit union.

1400

Mr Martin: There are some people I've come to know since I got this job who you would also know—in particular, one gentleman named Gilles Pouliot, who was quite critical of the banking industry because it had moved so dramatically and radically into investments and that kind of thing and away from the actual management of people's deposits. We note that every day with the increase in fees and the lack of personal service.

I note as well in the credit union movement now a move in that direction. You have the ethical funds that you can now invest in. I think they're good and I take advantage of them myself but there is also something inside of me, though, a fear, and maybe in terms of the deposit insurance corporation you may have some say in that. But if there was a shift in credit unions to be more like the banks in terms of the focus, the energy and the effort going more into managing investments as opposed to actually providing services to members, would you have a concern about that?

Mr Poulin: I would have a concern and I think our members would have a concern. I think our members would express that concern very loudly to the members of the caisse populaire, the credit union. Our role is to make sure that the services they're providing or the money that's invested in the caisse populaire or credit union are secure and to make sure that we provide timely advice to those who are in need of advice. I'm sure that none of us wants to see any caisse populaire move away from that home base type of service that they've been providing.

Mr Martin: Do you think you'll have any possibility or opportunity, in being appointed to this corporation, to effect that in any way?

Mr Poulin: Like I said in the beginning, I will certainly listen to our members and bring their viewpoints, their concerns and their needs to the DICO board.

The Chair: That concludes the questions. We move to the government party.

Mr Wood: We'll waive our time.

The Chair: OK. The time has been waived. Thank you very much, Monsieur Poulin. You may step down.

SUSAN MILLER

Review of intended appointment, selected by official opposition party: Susan Miller, intended appointee as member, council of the College of Midwives of Ontario.

The Chair: The next individual who will appear before the committee is Susan Miller, intended appointee as member, council of the College of Midwives of Ontario. Welcome to the committee, Ms Miller. You have an opportunity, as you would know, to make an initial statement, and subsequent to that there will be questions from members of the committee.

Mrs Susan Miller: I'd like to thank the committee for this opportunity to provide the members with additional information as they undergo their task of reviewing the suitability of candidates proposed to serve on various boards and commissions in the interests of the people of Ontario.

The position for which I've been nominated is member of the council for the College of Midwives. While preparing for this interview, it became apparent that the committee is often interested in how nominations come about. In my case, I was contacted by an individual in the office of public appointments of the Ministry of Health. She said that it had come to her attention that my appointment to the College of Optometrists was coming to an end and, in the interests of recycling trained individuals, would I be interested in serving on another board? If so, what would I be interested in? At the time, I was not expecting her call and did not have any knowledge of positions that would be open. She suggested that the College of Midwives had a position coming available and that my financial background might be valuable to them.

I understand that as a small college they face some specific challenges related to the size of their membership and their need to fulfill all the statutory obligations of a regulated health profession. The College of Optometrists faced somewhat similar challenges; however, their membership is approximately four times as large as the midwives' and their college is long established. I said that I would be pleased to serve on the council.

I am interested in the practice of midwifery from the perspective of being a mother of two. As well, some of my financial planning clients have used the services of midwives and were very pleased with their experiences. I feel midwives offer women an important alternative, but it is important that we ensure that they provide a safe alternative.

Another issue I wish to cover is that it has come to my attention that the copy of my curriculum vitae that the committee received in their briefing materials was one I originally submitted when I was appointed to the College of Optometrists of Ontario in 1996. Unfortunately, it lacks any information on my experience over the last six years. I think the most relevant qualifications I offer are based on my experience and the training I received while a member of the council of the College of Optometrists. As well as participating in council meetings, overseeing the general functions and governance of the college, I served on two statutory committees, including discipline and patient relations. Additionally, I served on several standing committees, including communications, finance and conflict of interest, which later evolved into the ethics committee. I served as treasurer for, I think, two years. During those terms I spearheaded a revision of the process through which the budget of the college would be developed and approved by council each year.

While serving on the discipline committee, I received excellent training in how to conduct hearings and how to write decisions. Training was arranged by the college and

provided by lawyers highly recognized in the administration of the Regulated Health Professions Act. I was able to participate in a number of hearings and write the decisions in several cases. I am also aware of the changes in the procedures that the College of Optometrists is attempting to implement with respect to the administration of its discipline function. I think that I can share these approaches and my skill set with the College of Midwives, potentially to their benefit.

Also not mentioned on my CV is my work as a commissioner on the North Bay Economic Development Commission from 1997 to 1998, my work on the board of Nipissing East Community Opportunities, a community futures organization, from 1996 to 1999 and my current positions on the boards of Lake Nipissing Partners in Conservation and the Friends of the Environment Foundation. All of these have been volunteer positions.

In the category of recreational activities, I'm quite pleased to report that this year I became a certified snowboarding instructor.

The CV you have does outline my university degrees, which include both a bachelor and master of science and a bachelor of education degree. I have found that a biology background has been helpful in understanding the health issues under discussion at council meetings, especially when setting guidelines for standards of practice. It has given me the basis to ask the professional members the additional questions that I need answered to appreciate the technical issues and participate fully in the governance of the college.

Being from northern Ontario is also an important consideration. As a public member, I would bring to the College of Midwives a northern perspective. Access to health professionals is sometimes an issue in the north, and the provision of the services offered by midwives has the potential of alleviating some of the pressure put on the practices of general practitioners and obstetricians. I was pleased to find out that one of the universities that offers a program in midwifery is Laurentian University in Sudbury. If the belief that providing medical education at locations in the north will lead to more medical practitioners in the area holds true, this certainly is a positive development.

In closing, I hope the committee finds my qualifications adequate and, if so, I look forward to serving on the council of the College of Midwives.

The Vice-Chair: Thank you very much, Mrs Miller. We will begin the questioning with the third party.

Mr Martin: Thanks for coming. Did you come down from the north today?

Mrs Miller: Yes; 12 centimetres of snow.

Mr Martin: Did you snowboard over the weekend?

Mrs Miller: No. We had guests.

Mr Martin: My son did out at Searchmont. He had a good time. We were thankful that we had enough snow. We didn't have much at Christmas, so it was good.

You're obviously a very busy and qualified person in many ways. Why this appointment? Why would you

want to do this at this particular point in time in your life?

Mrs Miller: I find it interesting. I think the province has been good to me, it's something that I'm very capable of helping out with and I appreciate the opportunity. In return, I think I do receive excellent training. It's an interesting function. I think I have something to offer.

Mr Martin: You talk about some of the unique challenges of the north—you've said you're an appointment from the north—in terms of health care, and we're all well aware of them, any of us who live up there and have to access the system or have kids or whatever. How do you think midwives can be helpful in resolving some of the issues that we have, or can they be?

1410

Mrs Miller: Certainly in North Bay we are very limited as far as our access to obstetricians, for example, and even getting a family physician at times is a challenge. If midwives are there to offer their services, they can help alleviate that demand that's currently being placed on obstetricians.

Mr Martin: How do you think we might better integrate those? I can think of three things that need to be integrated if we're going to allow midwives to operate at their maximum capacity, and that would be that hospitals need to be more accommodating, obstetricians need to be willing to work with them—and we have instances where that has not happened, and to some very difficult end for the expectant mother and the baby. How do you think we might integrate that more effectively?

Mrs Miller: It's going to take some time to see that obstetricians and other medical professionals are accepting of midwifery as a practice. The current position that's being offered on the council probably will have limited opportunity to effect those changes. The other area that I think is extremely important is to make sure that we have highly qualified members in the profession of midwifery so that they have credibility with the current medical practitioners. That's going to be one of the big keys, that they do have the respect of the other medical people.

Mr Martin: How closely related do you think midwives should be with obstetricians? What is your understanding of that relationship? What should it be?

Mrs Miller: What it should be?

Mr Martin: Yes.

Mrs Miller: I think it should be relatively collegial. The obstetricians should see midwives as offering a very valuable service which preserves the resources we have available for highly trained obstetricians, reserves those for the cases where their services are truly needed.

Mr Martin: What experience have you had yourself with midwives?

Mrs Miller: Midwives? Only second-hand, references from my clients who have used midwives, that they've been very pleased with their experiences.

Mr Martin: Would you use one yourself?

Mrs Miller: Well, I'm a little old. My sons are 23 and 21, so I really don't want to get into that again at this

point in my life. But I would have no problems with using a midwife if one had been available when I was in—

Mr Martin: Or referring a friend.

Mrs Miller: Or referring a friend.

Mr Martin: OK. Thank you very much.

The Vice-Chair: Thank you very much, Mr Martin. We'll now move to the members of the government. Any questions here?

Mr Wood: We will waive our time.

The Vice-Chair: Thank you very much, Mr Wood. We will move to the official opposition.

Mrs Dombrowsky: It's nice to see you, Mrs Miller. I'm just a little bit curious. You've indicated that you've come to be here because you received a call from the appointments commissioner—

Mrs Miller: Yes, with the Ministry of Health.

Mrs Dombrowsky: —with the Ministry of Health to say your time was up with the optometrists and maybe you would like to serve.

Mrs Miller: Yes.

Mrs Dombrowsky: How did you become involved with the College of Optometrists?

Mrs Miller: That was—

Mrs Dombrowsky: In 1996.

Mrs Miller: I really don't remember who contacted me at the time. I was advised that there were positions going to be available on boards and commissions. I had no knowledge of that process prior to that time. It was actually someone in Timmins who asked me if I'd be interested in submitting my CV. Then a few months after that I received a call and was asked if I would be interested in serving on the College of Optometrists.

Mrs Dombrowsky: Are you a member of a political party?

Mrs Miller: Yes. I think it's very important, that democracy only functions effectively if the public is fully engaged in the political process, and I am currently a member of the Progressive Conservative Party of Ontario.

Mrs Dombrowsky: Thank you. I heard you make some reference a little earlier with Mr Martin's comments. He spoke about some of the challenges there are within hospital settings relating to midwives and professionals. In the background material that I'm sure you've read it's referred to as "artificial barriers." Since you've had experience with a professional college, what role could the college have to remove those barriers?

Mrs Miller: My experience with optometry, where we were running into some similar situations, was that the opportunities are relatively minimal. As a public member, I can support initiatives to approach the Ministry of Health and present a case for better public access or better service in the public interest, dealing with specific issues. But primarily the role is in governance of the membership of the college, and really the opportunities for feedback to the ministry are not great. I think those changes have to be initiated and supported by the Ministry of Health.

Mrs Dombrowsky: They have to come from the ministry?

Mrs Miller: Yes.

Mrs Dombrowsky: You made a comment about the fact that you see a role that the college would have to ensure that midwifery has the credibility and respect of other medical practitioners.

Mrs Miller: Yes.

Mrs Dombrowsky: Is it your sense it doesn't?

Mrs Miller: If there are artificial barriers, I think that's evidence that there are some problems with the relationships. Generally speaking, if medical practitioners perceive each other as colleagues, they're far more accepting of utilizing the services and referring to each other and working co-operatively. In order to feel that collegial relationship, I think it's important that there is, fundamentally, respect of the credentials of the individuals.

Mrs Dombrowsky: I couldn't agree with you more. Maybe you could explain to me how you think that in your role as a member of the college you could facilitate that.

Mrs Miller: Basically, as a member of council, it's going to come down to supervising the standards that we enforce as far as registration. I'll be interested to see if there are additional opportunities, but as I say, based on my experience with the college of optometry, there were limited opportunities in that respect.

Mrs Dombrowsky: Do those professional colleges talk to each other?

Mrs Miller: Occasionally.

Mrs Dombrowsky: That would be good.

Mrs Miller: Yes. There tend to be some turf wars. Certainly with optometry, you get concerns of three different professions that are providing eye care: opticians, who provide the spectacles; ophthalmologists, who are primarily physicians dealing with conditions of the eye; and then optometrists. You get some discussions back and forth, but usually one of the people at the table is less ready to discuss issues because they see the impending changes as going to affect their current situation negatively.

1420

Mrs Dombrowsky: Would you be prepared, though, as a member of the college to push and advocate for a better rapport and relationship among those health care professionals who deal with the delivery of children? Like you, I'm sort of past the point of requiring these services, but I do think it's something that's very worthwhile and needs to be expanded upon. Many years ago, when you consider how children came into the world, very regularly it was with the services of a midwife.

I don't see midwifery as an alternative to be considered because we have a doctor shortage, although I think they probably can assist greatly in dealing with that particular reality. But I think there is some great merit in advancing the status of the profession. It's something that we should be looking toward more in Ontario. Obviously when it became legal to operate as a profession in

Ontario, it was something that governments of all political stripes recognized and advocated and to some degree over the years have supported.

I'm encouraged to understand that you do have that experience on a professional regulating body because I think you might have some experience and understanding of how you might effect some of those changes that need to happen to advance midwifery in Ontario. So I wish you well.

The Vice-Chair: Thank you very much, Mrs Miller. We will be voting on your appointment later in the afternoon.

We are doing so well this afternoon that we're ahead of schedule. Our appointment that was scheduled for 3 o'clock, Mr Miele, is trying to get here. He's apparently in a cab heading here but he's not here yet, so perhaps we might just take a five-minute recess.

Mr Wood: Could I suggest we deal with the concurrences now?

The Vice-Chair: I'm agreeable to that. Mr Martin has left the room, though. Can you see if Mr Martin is out there? That's not a bad idea.

I know Mr Miele is on the way, so we don't need to take much of a break. He was apparently in a cab trying to find his way here quickly, so he'll be here very shortly.

Mr Martin is on the phone? Mr Wood, would you like us to pause, rather than recess, until Mr Martin is off the phone? How do you want to do this?

Mr Wood: I would suggest we wait until Mr Martin is off the phone and proceed. There's no reason not to, once he arrives.

The Vice-Chair: That's fine. I'm certainly agreeable to that. I'm sure everybody else is. Ms Dombrowsky, that's fine with you?

Mrs Dombrowsky: Absolutely.

Mr Johnson: I've no objection to going on without him.

The Vice-Chair: We could, but it would be nice to wait for Mr Martin, wouldn't it? I think we can do that. I guess if we can indicate to him that we're waiting to vote concurrence, that will be helpful. OK, Mr Martin is coming.

Mr Martin, we are just waiting for our 3 o'clock appointment, who is on his way. We're running early today, so what Mr Wood suggested was that we do concurrence on the members who have come forward this afternoon. I trust that's agreeable to you?

Mr Martin: Yes.

Mr Wood: I move concurrence re Mrs Hinton.

The Vice-Chair: Mr Wood has moved the appointment of Mrs Hinton as a member of the Council of the College of Respiratory Therapists of Ontario. Any discussion? All those in favour? Opposed? Carried.

Mr Wood: I move concurrence re Mrs Bezaire.

The Vice-Chair: Mr Wood has moved concurrence of Sherri Bezaire, intended appointee as member of the Grey Bruce Huron Perth District Health Council. Any discussion? All those in favour? It is unanimous.

Mr Wood: I move concurrence re Mrs Miller.

The Vice-Chair: Mr Wood has moved concurrence of Susan Miller, intended appointee as member of the Council of the College of Midwives of Ontario. Any discussion? All those in favour? That is carried.

Mr Wood: I move concurrence re Mr Poulin.

The Vice-Chair: Mr Wood has moved concurrence of Mr Royal Poulin, intended appointee as member of the Deposit Insurance Corporation of Ontario board of directors. Any discussion? All those in favour? Opposed? It is carried.

PERRY MIELE

Review of intended appointment, selected by official opposition party: Perry Miele, intended appointee as member, Liquor Control Board of Ontario.

The Vice-Chair: I believe Mr Miele has arrived. Excellent timing. Thank you for getting here early. We appreciate the effort you made to get here.

Mr Perry Miele: No problem.

The Vice-Chair: We're going to call you forward immediately, if that's quite all right.

Mr Miele: I didn't even get to have a break.

The Vice-Chair: We're calling forward Mr Perry Miele as an intended appointee as member of the Liquor Control Board of Ontario. Mr Miele, welcome to the committee. You have an opportunity to say a few words, if you wish, before we proceed with questioning. I believe the questioning will begin with the members of the government. Welcome, and feel free to address the committee.

Mr Miele: Thank you very much. I will take a minute to make a few comments. First of all, good afternoon and thank you, Mr Chairman and members of the standing committee, for the opportunity to appear before you.

As you know, my name is Perry Miele and I am the chairman of the Financial Task Force, which is a Canadian merchant bank based in Toronto. Prior to joining Financial Task Force I was president, international group, of Draft Worldwide, based out of Chicago. I held this post for approximately three years. While at Draft Worldwide, I spearheaded the company's international expansion plan, with a combination of both acquisitions and organic growth.

My responsibilities there included the 36 offices that operated in 24 countries outside of the US with approximately 1,200 employees. Over the years, I've also worked closely with some of the largest and most recognized brand names in the world, such as American Express, Kodak, Burger King, Kellogg's and the Royal Bank. Much of this work has taken place in Canada, Europe, South America and Asia, for the most part.

Prior to my job as president of Draft's international group, I was a partner in a Canadian advertising agency that my partner and I sold to Draft in 1998. The reason I bring that up is that during my 10 years of building our agency, one of our major focuses was social marketing. Two of our most celebrated programs were the Stay in School campaign for the federal government, which ran

for five years, and the responsible use campaign that we developed for the Brewers' Association of Canada, which was called Speak Out, Stand Up, Be Heard. I truly believe that responsible use or social responsibility needs to be a critical and important foundation of the LCBO and any other agency or organization selling or distributing alcohol.

I was born in Thunder Bay and presently live in Burlington. I'm married and the father of two young children. I have spent a good part of my career trying to help major corporations understand consumers—their customers—and what they're looking for and then helping them develop the brand strategy to meet those expectations. During that time I've had the opportunity to watch the transformation of the LCBO from one of the least consumer-friendly sales organizations—it turned itself into a modern, consumer-savvy retail network. It truly has done a superb job in listening to its customers and responding appropriately. While it has come a long way and can be clearly identified as a leader in this category, I still believe it has more room to grow to reach its full potential and I would very much like to participate in the LCBO's continued growth in reaching that potential. Thank you very much.

The Vice-Chair: Thank you very much, Mr Miele. Of course, it's always great to greet a native of Thunder Bay, being one myself. We will begin the questioning with the members of the government party. Any questions?

Mr Wood: We will waive our time.

The Vice-Chair: We move to the official opposition.

Mr Bradley: This one almost goes without saying. I presume that you belong to the Progressive Conservative Party; is that correct?

Mr Miele: Belong to, or am I a member?

Mr Bradley: Are you a member of the Progressive Conservative Party?

Mr Miele: Yes, I am.

Mr Bradley: Have you donated to the Progressive Conservative Party?

Mr Miele: Yes, I have.

Mr Bradley: Have you worked in campaigns for the Progressive Conservative Party?

Mr Miele: Yes, I have.

Mr Bradley: In fact, you've played a very central role, as I recall, in the Conservative Party, and there's a pattern of people who have played a significant role in the Conservative Party appearing here. That's always—

1430

Mr Wood: It shows why we win all these elections.

Mr Bradley: That must be what it is, my friend Mr Wood says.

Mrs Dombrowsky: You're taking notes.

Mr Bradley: Were you not the director of advertising for the Conservative Party in the 1999 campaign? You were involved in the advertising for the Conservative Party?

Mr Miele: In the 1999 campaign, yes, I was.

Mr Bradley: And were you involved in any of the leadership races this time around?

Mr Miele: Yes, I was.

Mr Bradley: Which one would that be?

Mr Miele: Minister Tony Clement.

Mr Bradley: I see. Mr Clement is a great proponent of privatization of a number of agencies of government; almost, if it moves, you should privatize it. We've already seen some privatization in the health care system under the auspices of Mr Clement: a cancer care service, which is a radiation service, at Sunnybrook hospital.

Let's go to the position, the plum, that you are going to receive. Most people think it's a plum. It's almost like Valhalla for, I'm told, ex-members of the Legislature, for instance, to go to this job at the Liquor Control Board of Ontario.

Mr Gilchrist: You appointed Andy Brandt.

Mr Bradley: Andy Brandt was appointed to it, and reappointed to it. I guess I'll ask you this question. May I presume that you are, since you're going on the board, opposed to the privatization of the LCBO?

Mr Miele: I wouldn't say that I'm either for it or opposed to it. It's interesting: I'm 43 years old, and I remember going to the liquor control boards with my father when we were younger. There was a teller and there was no liquor on the shelves. You had to fill out this little form. You had to go and hand it to the man behind, and he looked at you kind of suspiciously, no matter how old you were. It was an organization where back then I think as a consumer you'd say, "This thing needs to either be restructured or privatized." But today there's been such an improvement that, as a business person who acquired and sold companies on behalf of a large corporation, we would do a very clear analysis, and if you had an asset that still had an opportunity to grow and mature, you would carefully weigh the pros and cons before making a divestiture of that asset. I think any good business person would have to sit down and look at all the facts.

I must admit, Mr Vice-Chair, that there's a lot of information that I'm not aware of before I could ever comment on that, and hopefully that will be part of the process of getting up to speed and up to date on its present situation.

Mr Bradley: One would hope that in the desperation to balance the budget and in looking for cash somewhere, the government wouldn't rashly privatize the LCBO, and indeed that there would be a continued effort to, as you would describe it, modernize it. Never having been in the LCBO in those days, I wouldn't have remembered that, but I've heard people tell me about having to fill those forms out and hand it to the Tory—to the employee who was there at that time.

Mr Wood: Mitch Hepburn.

Mr Bradley: I have a question. I have a vested interest, only parochially speaking, in the wine industry in the Niagara region. The wine industry has a tough time with the LCBO. I can't imagine, for instance, the LCB—whatever it would be; let's say the same body, the liquor

control board—of Alsace and Lorraine or Burgundy or any of those featuring as many foreign wines at the expense of local wines.

Mr Wood: They don't have an LCBO.

Mr Bradley: Well, if they had one—

Mr Wood: They don't.

Mr Bradley: If they had one, I couldn't imagine that to be the case.

Are you going to attempt to have more listings from Ontario wines—Canadian wines; let's not be that parochial—at the LCBO than there are listed today?

Mr Miele: I think that's a great point. Last year I was living in France for a while, part of my job. There's no question you are right. They don't go out of their way promoting any Ontario wines, and they list very few wines other than French. One of the things I did—as you know, there were barriers to entry for icewine into France until just recently. Just to make the point to all my senior executives there, as a gift at the end of one of these big programs, I shipped in two cases of Ontario icewine and gave it to them as a gift. They openly admitted that the reason the tariff was there was because it was going to be a threat to their dessert wine and they had nothing to match our icewine yet. They were buying themselves as much time as possible, and they now have officially allowed it to be imported into France.

With Ontario wine there's a big issue, and it's called balance. We've got to balance the right of the consumer to ensure they can purchase and have whatever they like with what works for the Ontario industry; that is, to protect and try to help grow what is a critical job growth area for us, which is the agricultural side, the making and selling of the wine. I think we need to find some balance between the two.

Mr Bradley: There is an issue as well that they almost get a broom at the LCBO and sweep so many Ontario wines off the shelves each year. They say, "There's not enough sale of them." I guess if you tuck them down in the corner, there isn't. And if you have only one month a year featuring Ontario wines, or at most two months when the big feature in the LCBO is Ontario wines, maybe the sales might not be quite as high.

Would you like to see that rectified, all these smaller wineries having theirs swept off the shelves and not allowed on the shelves in their own province in a quasi-government store operation?

Mr Miele: That is a challenge, because you want to see these young wineries given a chance to incubate, and the LCBO would be the perfect place. But at the same time we have to make sure those wines have a market, that someone is going to buy them and they don't sit on the shelf. For many years one of the challenges I had with any client was how to move their product.

One of the things that are occurring right now—I was reading some of the briefing—is a program called WOW! The wineries are bringing in the staff and teaching them more about the wines, so that when any one of us do walk in and say, "I'm looking for a wine that has this. Is there any Ontario wine that would fit?"

they can promote and say, "Listen, I was just in," and explain about that wine. Part of it is education. I think that's a great program that should continue, and I hope to see that happen. Once the staff knows more about the wine, the consumers will know more. And once we know more as consumers, we'll purchase more Ontario wines.

Mr Bradley: We might bring in the staff of Air Canada as well, who years ago when you asked them for a Canadian wine looked at you as though you'd asked for turpentine.

Mr Miele: You're right.

Mr Bradley: They could certainly be educated in that direction.

There's another issue they have—this is vengeance here—that I think is significant. Sometimes the government does the right thing, believe it or not. They took my advice and allowed the wineries to sell directly to restaurants, for instance. But there's a problem with warehousing. For some restaurants it just is not economical to take it from one warehouse all the way across Ontario to another. Would you advocate on behalf of warehouses that are closer so that we can have those direct sales? This is what was happening. It's a good idea. I want to say that when they accepted my suggestion that there be direct sales, it really helped our wineries. But logistically it's different. Would you be willing to help find an answer to that logistical problem for our wineries?

Mr Miele: I didn't know about that issue, and it's one that I will bring up if I get the opportunity, because it makes logical sense. The question is to find out why they're not. Is there something that's keeping them from putting it in those warehouses in terms of distance?

Mr Bradley: There is a problem, but just raising it will perhaps—too bad we're out of time, because I had so many questions.

Mr Johnson: Pound the desk and you'll get more time.

Mr Bradley: Too bad I'm out of time, because I have so many questions about government advertising, its relation to advertising for the political party, whether you get a break—

The Vice-Chair: It's unfortunate that there's not more time. You're right. It's unfortunate.

Mr Bradley: There it is. I was just getting good too.

The Vice-Chair: Just warming up. Thank you, Mr Bradley. Mr Martin.

Mr Martin: I appreciate your coming here this afternoon, because it provides us with an opportunity to talk about what I think is a very important subject of public policy before the province at the moment; that is, how we deal with our liquor control board and the contribution it makes to the province, not only financially, which is significant, substantial on a year-to-year basis, and not only through taxes, but through the profits generated by that corporation. As you indicated in your opening comments, they've improved significantly over the last couple of years under the able leadership, I would say, of Mr Brandt as the chair.

1440

The side of this I want to explore with you a little bit is the public safety side, the social responsibility side of this issue, which I think is really important.

I have four kids, all of them under the drinking age—very healthy, normal kids out there looking for fun on a weekend and that kind of thing. It's my view that the Liquor Control Board does an excellent job of making sure that they check identification. As a matter of fact, I've been in the store on a number of occasions when young people have been challenged. Some didn't have the ID; some had the wrong ID, and it was taken away from them, and that kind of thing.

I just want to go back to say that, unlike Mr Bradley, I did go into one of those stores where there was a little window and you filled out your form. As a matter of fact, when I became old enough to go in there—that was 21 in those days—it was quite a privilege. But I understood why that window was there. We had just come out of a period, at that time in our history, of Prohibition and some very real concern about alcohol and drinking and the effect it had on communities and lives. Because in those days, if I remember correctly, you didn't so much drink socially as you drank to get drunk. So it was a different environment within which alcohol was being sold. It had just become legal to sell it. The government was very concerned that it be handled properly, not unlike if the government today decided that it was going to legalize marijuana. We wouldn't just throw it out there and say, "Everybody grab a piece of the action and sell what you can." If you were going to go that route, it would have to be regulated very closely and probably be government-controlled at least in some way, a bit like—again, I'm rambling on here a bit, but I do have a question—when we were government and we were considering the introduction of casinos to the province. Mr Bradley, again, wouldn't be really happy about the fact that we as New Democrats actually even thought about doing that, never mind went ahead and did it, but we got some very important advice from some well-placed Conservatives that, "If you're going to do it, make sure it's government-controlled, government-owned."

I'd like some comment from you in terms of the social responsibility that we have here, and the fact that liquor is still a problem, that drinking and driving and kids under the influence getting killed in cars is still an issue. Certainly, for me as a parent, it's a huge issue. Factoring all that in—again, the same question, I suppose—your comments, and how that plays into the discussion and ultimately decision-making around whether we privatize or not.

Mr Miele: Sure. To give you a little bit of background before I give my answer, I probably spent about eight years behind the other side of a one-way mirror in focus groups, listening to kids between the ages of 12 and 18 talk about social responsibility issues. What we found out on the brewers' responsible use campaign was it wasn't enough just to police it. It's not enough to just have all the rules, try to police it, catch them and really buckle

down on them. The other part of it was the education. There's a social marketing model. It doesn't matter if it's to get kids to stay in school, stop smoking or the responsible use of alcohol, there are three stages to it. There is the awareness stage, the education stage and then the action. The first thing we had to do was make sure everyone was aware that it is a problem or an issue. The second stage was education, to make sure everyone was educated. The last one was action. So by the time they got to the point where we had to police them, there was a higher awareness and education and understanding.

The most interesting part about the brewers' work was we found that teens today are actually much more responsible—and I mean much more—than any of us were when we were 20 years younger. It's amazing. When we were younger, if anyone said, "I'll be the designated driver," everyone would say, "You're not cool." They'd laugh at that individual. Today, it's a badge of honour. It really made me quite proud to listen to all kinds of kids talk about that. Everyone took turns, and if you missed your turn, you didn't keep your end of the deal. There's a more complicated world out there for young people. They're actually dealing with it pretty well. That's why the brewers' campaign was "Stand up, speak out, be heard." We let young people talk to other young people. The commercials were designed and sent in; we had a contest.

I think one of the challenges for any organization, even the LCBO, will be to communicate the whole awareness and the education of why responsible use is important, as well as the policing we have in the stores. I think it's a two-part program.

Mr Martin: Do you see any difficulty if we move to a totally privatized system in terms of conflict of interest? You're talking about some of the breweries and the brewers' associations coming forward with programs of education and awareness, and that's really important. I think it's great that they do that. Certainly the Liquor Control Board does a lot of that kind of thing as well. They have programs where their staff go out and speak to schools and do all kinds of things.

As has been pointed to in terms of smoking, for example, the campaigns the tobacco industry puts on to reduce the level of smoking in kids while at the same time they are making it more attractive for them—can you conceive that there might be a conflict of interest there, perceived perhaps by those of us who still have some real concern about some of the abuses? It's not just young people; it's adults who drink and then go home and there's domestic violence and all kinds of things that we have to concern ourselves about where alcohol is concerned.

Mr Miele: Absolutely.

Mr Martin: Do you see the potential for a conflict of interest?

Mr Miele: I can't comment on the cigarette companies because it's one category I don't have much experience with or knowledge of, but in terms of alcohol, look at the beer companies as an example. They have

done a very good job of coming up with some very creative, very intuitive campaigns to convince young people, and actually all ages, to drink and handle alcohol in a responsible way. There is always that balance and that challenge for them because, on the other hand, their other divisions have to communicate what a positive lifestyle it is to use this brand versus another brand and make it as sexy and appealing as they can. I think overall they've done a pretty good job. Some of the campaigns around the world that have won top awards for marketing and advertising have been responsible use campaigns. They've had great awareness, they've hit home runs with the people who watch those campaigns and they are very memorable.

There are some people in the private sector I'm aware of who have demonstrated a successful approach to a balance between marketing their product and responsible use.

Mr Martin: Just one last question. Your own instinct, your own inkling or leaning: privatize or keep it in public hands?

Mr Miele: I've always found that a tough one because as consumers we have so much choice going into an LCBO. When you privatize, your question is, will you have as much choice? Will you have the size and the quality of the stores? What I need to try to find out more about before I make a decision is, if you ever did go that route, down the road, if that's what the major shareholder, being the government, wants to do, can you still deliver the kind of service that we deliver to consumers today? Can we deliver the kind of choice? Can we deliver the kind of management of responsible use? I think you want to go through all of those questions as you investigate that choice.

The Vice-Chair: Thank you very much, Mr Miele. We appreciate your coming forward, and thank you for getting down here earlier when our schedule changed. That's just great.

The Chair: Now I'm back in the chair. Gosh, I wish we had more time to ask questions.

We have a couple of matters. We have this to dispose of, and we also have a couple of extensions.

Mr Wood: I move concurrence re Mr Miele.

The Chair: Concurrence has been moved re Mr Miele. Any discussion?

Mr Martin: Just briefly, he is obviously a very capable and very knowledgeable person, but I just can't help, given his very obvious political connections—there's a very real concern right now out there in the public about where we're going with the Liquor Control Board and particularly this issue of social responsibility. I just can't help but think that we're putting the fox in among the chickens here. So I'll be voting against that appointment.

The Chair: Any other comments? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

I need from the committee permission for an extension for John Melady, custody review board, Child and

Family Services Review Board; and Michael O'Neill, Southeastern Ontario District Health Council.

Mr Wood: Fifteen days is sufficient. I would ask unanimous consent that the time for consideration of those two intended appointments be extended by 15 days.

The Chair: Do we have unanimous consent?

Mrs Dombrowsky: Yes.

The Chair: Thank you very much. Any other business for the committee? If not, I'll entertain a motion of adjournment.

Mr Wood: So moved.

Interjection.

The Chair: I'm going to let Mr Martin, because Mr Wood is so good at moving all these motions. Mr Martin has moved adjournment. All in favour? Opposed? Motion carried.

Thank you. We'll see you on the 17th.

The committee adjourned at 1451.

CONTENTS

Wednesday 3 April 2002

Subcommittee report	A-369
Intended appointments	A-369
Mr Richard Woodfield	A-369
Mr Harold Hands	A-373
Mr Anthony Annunziata	A-377
Ms Jill Taylor	A-381
Mrs Gloria Hinton	A-385
Mrs Sherri Bezaire	A-388
Mr Royal Poulin	A-390
Mrs Susan Miller	A-393
Mr Perry Miele	A-397
Committee business	A-385

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Steve Gilchrist (Scarborough East / -Est PC)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr David Pond, research officer,
Research and Information Services

12 CN
C19
652



A-25

A-25

ISSN 1180-4335

Legislative Assembly of Ontario

Second Intersession, 37th Parliament

Assemblée législative de l'Ontario

Deuxième intersession, 37^e législature

Official Report of Debates (Hansard)

Wednesday 17 April 2002

Journal des débats (Hansard)

Mercredi 17 avril 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 17 April 2002

Mercredi 17 avril 2002

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr James J. Bradley): Now that we are all here I'm going to call the meeting to order. We have first of all the report of the subcommittee on committee business dated Thursday, April 11, 2002.

Mr Bob Wood (London West): I move its adoption.

The Chair: Mr Wood has moved its adoption. Is there any discussion of that subcommittee report? If not, I'll call the vote.

INTENDED APPOINTMENTS

MICHAEL O'NEILL

Review of intended appointment, selected by official opposition party: Michael O'Neill, intended appointee as member, Southeastern Ontario District Health Council.

The Chair: We begin our appointments review now with Michael O'Neill, intended appointee as member, Southeastern Ontario District Health Council.

Mr O'Neill, you may come forward. As you would have been informed, you have an opportunity to make an initial statement, should you see fit. That's entirely your choice. Subsequent to that, there will be questions directed to you by members of the committee. Welcome to the committee.

Mr Michael O'Neill: Thank you. I'll tell you a little bit about myself. I'm a grade 12 student at Kingston Collegiate. As you might have noticed from my application to the Southeastern Ontario District Health Council, I have a strong desire to be involved with my community, to organize and to lead. This desire is an integral part of me. My kindergarten teacher told my mother at the very first parent-teacher interview that whenever the teacher left the room, she would return to find that I had organized all my friends and the kids in the classroom into a co-operative play activity, so that was where it started.

I've also always had the desire to help make things better for people. I gravitate toward activities which involve using my abilities, my time and my energy to assist others in a meaningful way.

The final quality of mine that I feel is pertinent to my position on the district health council is my sense of justice. I have always been bothered when I've en-

countered a situation where unjust or unsustainable thinking was being used.

To relate it back to my childhood again, in grade 2 my teacher told my parents that he pictured me, as an adult, sitting in a Greenpeace boat, waving my fist at an oil tanker. That's where the justice came from.

These qualities propelled me to found the respect committee at KCVI, my school. The respect committee is a group of students who work together to promote the ideas of social justice, equality and sustainability within the walls of our school.

Since I wrote my application to the district health council, the respect committee has organized a number of successful campaigns. The first one was the Good Neighbours fundraising campaign. As part of the campaign, we educated the entire school on poverty issues in the Kingston area. We managed to get a one-hour, entire-school assembly to which we brought in poverty workers in Kingston and our city councillor. Our city councillor talked about the effect of globalization on poverty, and the poverty workers from the North Kingston Community Health Centre and our local Low Income Needs Coalition gave the students an idea of what poverty was like in Kingston. After the assembly we mobilized students to fundraise for the health centre. We overshot our fundraising goal by \$1,000 and raised four grand.

The second major initiative of the respect committee was Pride Week which, as it happens, is this week. The purpose of Pride Week is to foster a positive relationship between the homosexual and heterosexual communities within our school. The other purpose is to make life easier for homosexual students who have not yet come out within the school. It's a lot easier to be straight than to be gay in high school.

That is about all I'll say about the respect committee.

I've also been involved with many Queen's student groups, talking about and forming ideas on education accessibility. I'm sure you all know there was a lot of activity in February when Queen's University asked to have its tuition deregulated. We ran a campaign in Kingston to support regulated tuition.

That's pretty much all I'm going to say.

1010

The Chair: Thank you very much. We commence the questioning, and in this case it's the turn of the New Democratic Party, Mr Martin.

Mr Tony Martin (Sault Ste Marie): I'm very impressed with, at your age, the level of involvement that

you have in your community and wondering, out of all of that work that you do, why at this time you think the district health council is a place where you'd like to put some energy and time, and what you see as the major challenges there.

Mr O'Neill: All of my interests, whether it's poverty issues or positive gay-straight relations or justice, have an effect on health and the level of health within our community. So instead of just working to support one part of my community, I thought that if I were to be on the council (a) I would have the opportunity to learn from a bunch of people who know about the issues I'm concerned about and (b) I would be able to contribute my ideas of how the broader determinants of health could be shaped to bring about a higher level of health in the community.

I'm just getting on the council; I've only been to three meetings. I'm not sure exactly how I'm going to go about doing this.

Mr Martin: What do you see as the major priorities in your district?

Mr O'Neill: Aside from the normal stuff that health councils do, like planning long-term care and figuring out how many long-term-care beds we need, I see creating sustainable communities as being a major need for the future. I think one of the reasons that I was supported in my application for the DHC by the council was that they're looking for the perspective of somebody who's going to be around after most of the people on the council are gone. The average age of a district health council member is 58, and so I guess I see that instead of thinking—

Interjection.

Mr O'Neill: Sorry, I'm digressing. I guess sustainability—planning sustainable communities and supporting communities so that they may be sustainable—is the most important thing that is affecting our health right now.

Mr Martin: I suppose that would be something that would be of concern to young people in that you inherit the communities that, for the most part, we who average age 58 right now seem to run and control and regulate.

Are there any other issues that as a young person in particular—we hear a lot these days, particularly in my own community, around the question of how the health care works or doesn't work for our aging population. Is there anything specific and particular that you've gathered in your association with your peers that is of real concern in the Kingston area with regard to the health system?

Mr O'Neill: A lot of people are wondering about how we're going to deal with the baby boomers as they age. Even young people are wondering that. It seems from the media that our health system is already straining to provide people with the level of health care we have, and as people age they're going to need to use the health system more. We're concerned about how we can do that without breaking the backs of taxpayers or without letting people down who need the health care system.

People my age are also worried about the level of youth suicide. It's climbing. We're worried about the level of stress that comes from school and the effect on people who are not—a lot of people feel that the bar is being set too high in school and other areas of student life and that because of that, the students' level of health is suffering. That's a major concern.

Mr Martin: Have you been following at all the Romanow commission that has been traveling the country? What would your comments be on what is going on there? I know that this morning there was a report that Mr Romanow was speaking to a group of chamber of commerce people in the Halifax area and suggested that maybe we need to be looking at some portion of the health care system in the private sector or that is in some way connected to the private sector. What are the issues coming out of that that would be of concern to you? Have you been watching?

Mr O'Neill: I haven't been paying that close attention to the Romanow commission, but as for bringing more private control into health care, I guess my fear and the fear of many of my peers is that as health care gets privatized, we lose control over the quality and direction of health care. A lot of people are afraid of the profit motive compromising the quality of our health care. That is not to say that myself and my peers have completely shut our minds to private involvement in health care. We just feel that the top priority should be providing quality health care with long-term thinking and that, were private organizations, private businesses, to get involved, they must be very well regulated.

Mr Martin: I note a letter of support for your nomination and application from the chair of the local district health council. He speaks of functions that the council has organized over the last while, two major conferences in particular. What involvement did you have in those particular events?

Mr O'Neill: I've had no involvement as of yet. Like I said, I've been to three meetings. They had a seminar where they got a lot of young people involved who were talking about health care, a lot of community involvement in talking about health care. I've only heard about it at the meetings. I can't speak too much about it.

Mr Martin: OK. Maybe you could talk to us a bit about how you found out about this appointment, this opportunity. And maybe another question is, do you have any political connections or activity in your community?

Mr O'Neill: I heard that they were looking for a young person for the health council from—there's a bit of a story. I work at a summer camp and I lead kids through Algonquin Park, canoeing, all summer. One of the children on the trip talked to me a lot about his dad. His dad seemed like an interesting guy, and I guess his dad thought that I was an interesting guy because he told me there was a position open on the health council and that I might be interested, because of my views on the world and my community involvement, in applying. He said there would be a lot of opportunities to learn and to contribute. He is on the district health council. I was not

interviewed by him, though, for my recommendation. I was interviewed by the chair of the health council, Lloyd Churchill, and another member of the council, Paul Adamthwaite. They were the ones who saw my resumé and they were the ones who recommended me for my order in council. So that's how I heard about it.

I don't hold membership in any political party. That could change soon; I just turned 18. I hate to describe myself as left or right, because it kind of denies the idea that we can consider all sides of a situation and look at things from different points of view, but I'm probably closer to being an NDP or a Green Party member.

1020

The Chair: Thank you very much. We now go to the government members.

Mr Bert Johnson (Perth-Middlesex): I'd like to ask a few questions and make some comments. Michael, it's quite refreshing to see you here this morning. Welcome to the committee. It's particularly gratifying, from my point of view, to see a young person. I take particular notice of your concern with the average age, for instance, on the district health council. Now, 50 is really fairly young, if you're looking at it from my position. It's even better to see the interest and concern that you've demonstrated by your actions so far. So I congratulate not only you for applying to the district health council, but I congratulate them for seeing the worthiness of your application and the attributes that you bring.

I'm particularly interested in the term "leadership," because you have demonstrated that, and you commented on that in your introduction. Leadership is an elusive ability when you try to define it. I think, overall, it's demonstrated by the works that it does. By that, the demonstration you've shown so far leads me to think that the community of Kingston, with your help, is in good hands.

The Chair: Thank you very much. Any others?

Mr Wood: We'll waive the balance of our time.

The Chair: Thank you very much. We now move to the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr O'Neill. It's indeed good to have you here this morning. I certainly appreciated the time you've taken to prepare your remarks. It certainly has helped me understand a little bit more about you. There were some comments that you made, though, that I've taken note about and maybe would ask you to expand upon.

First of all, an observation on my part: it would appear that you obviously have an agenda of your own in looking to have a role on the district health council. The district health council that you are intended to be a part of considers health issues for my riding. I have to tell you that, as a representative, health issues are something I hear a great deal about. You've indicated this morning that you have attended three meetings. You've also had, I'm sure, an opportunity to read the same background information that we've been provided around your appointment.

I was wondering if you could share this morning with the members of the committee your understanding of some of the more serious health issues that face people who live within the boundary of the Southeastern Ontario District Health Council, some of the more serious health issues that you're going to have some responsibility to consider and provide some direction and recommendation around in your role as an adviser to the ministry and the Minister of Health.

Mr O'Neill: Mental health, right now, is one of the issues that will become more and more important on my time at the district health council. As I mentioned, youth suicide and depression are becoming more and more of a problem and they need more attention. I can't say which is going to be the most important health issue, but—

Mrs Dombrowsky: Maybe I could just add that in my office I'm hearing from a lot of people who live within the boundaries of your district health council who can't get a doctor, families who can't access family doctors. This, of course, is especially problematic when individuals have some chronic health conditions like high blood pressure or diabetes or asthma, where they need to see a doctor on a regular basis for medication and so on and they're not able to access family physicians. Do you have any comment on that? Are you aware that, even in the Kingston area, where you have a teaching hospital, this is a serious problem?

Mr O'Neill: Ms Dombrowsky, thank you for bringing that up. In Kingston we have three hospitals. To get a general practitioner, you're generally on a waiting list for three months or longer. It's incredibly difficult to get a doctor in Kingston and, apparently, in other parts of Ontario. I can only suppose why this is; I don't know. Maybe it's the medical schools; maybe it's too hard for people who would stay in Ontario after they graduate to get into medical school. It is a problem and it needs to be addressed.

Mrs Dombrowsky: Is it fair to assume that it's something you would like to see aggressively addressed?

Mr O'Neill: I would, yes.

Mrs Dombrowsky: OK. I think my colleague Mr Gravelle has a comment, and then Mr Gerretsen.

Mr Michael Gravelle (Thunder Bay-Superior North): Good morning, Mr O'Neill, and welcome. I truly think you will be adding a great deal to the health council with your appointment. I'm very pleased that, certainly in terms of the comments you made at the beginning, you're making the very important link between poverty and health care and the quality of health. I think that's something that needs to be made, and I hope you have an opportunity, when you're on the council formally, to continue to make those points.

I did want to ask you one thing in terms of your reference a couple of times to the young people in high school and the greater pressures, the issue of suicide, your support for Pride Week and all those issues. Do you think it's much worse? You're there. We're hearing about bullying and some very tragic situations related to that across the country. Do you think it's a lot worse and

do you think some of the things that you can bring forward as a member of the health council can make a difference?

Mr O'Neill: I don't know if it's a lot worse than it used to be. My school is not really an urban school; Kingston is not Toronto. Bullying at my school is not a problem. I come from a pretty privileged area of town; it's sort of the professor district around Queen's. It's a nice area.

Mr Gravelle: But obviously it concerns you.

Mr O'Neill: Bullying concerns me. It is a problem. I think that, especially with the implementation of the new curriculum, the stress level of young students has risen because classes are more and more challenging. It's more difficult to get the marks you need for university. A girl at my school committed suicide last month, and that really started me thinking about it. There is an immense amount of pressure on students, but I can't say whether it's more than it used to be 20 years ago.

Mr Gravelle: I hope that you bring your concerns to the council. I think you can add a great deal to it.

Mr O'Neill: I will.

Mr Gravelle: I'll pass it on to Mr Gerretsen.

Mr John Gerretsen (Kingston and the Islands): Just a very quick comment, first of all. I think KCVI is the oldest high school in Ontario, actually. It's a school that everyone in the Kingston area is extremely proud of. One of my sons attended there, as a matter of fact, not too long ago.

Could you tell me a little bit about the respect committee? I can remember when it was quite active about two or three years ago in dealing with the youth homelessness problem. Is that when you first got involved with it?

Mr O'Neill: I got involved with it then, when I was in grade 10. The reason I said I founded it was because it died last year, after the teachers had their labour action. I got involved then. I was involved with Pride Week and the youth shelter fundraiser.

1030

The group has a very diverse range of interests. We have a branch—I guess you could call it a subcommittee—that focuses completely on the environment and tries to reduce the amount of waste that our school produces. We have a group of people who are very concerned with trade and Canada's trade laws. Many people are worried about the labour standards in the countries that we trade with.

We try to be a positive pressure group rather than a protest group, because I think you get better results that way. We try to educate. For instance, this week we are having a letter-writing campaign for Mark Hall, the student who has been disallowed from attending his prom with his boyfriend. We try to give students the opportunity to be involved. I've been involved politically and I've been active for a long time, but most people in high school are just getting their toes wet. It gives students an opportunity to taste the feeling of being a citizen, of being concerned about their community.

I don't know if I've answered your question.

Mr Gerretsen: Thank you very much. You're certainly a great credit to that committee and to your school community.

The Chair: Any further questions? There is one minute left. I just want to ask a technical question, if members of the committee will allow it. It has nothing to do with politics.

Mr Wood: We will be the judge of that.

The Chair: There used to be a program called Student Action for Recycling. You would have blue boxes or bins in schools. I notice in some schools that has fallen by the wayside a bit. In my own community, for instance, I look for them when I go into a high school and I don't see them the way I used to. Do you still have that?

Mr O'Neill: At KCVI we have that. We have a fabulous biology teacher who started an environment club a long time ago, and they had bins installed all around the school. Since they're permanent fixtures, it really doesn't take any maintenance. Part of the routine of the custodial staff is to empty the appropriate bins.

Mr Gravelle: What's the teacher's name?

Mr O'Neill: Matt Saunders.

The Chair: I thank the committee for allowing that. I was just curious about that. It would be nice to see that in all the schools. I think all of us would support seeing that in all the schools. I notice that it seems to have abated in some schools and it is available in other schools. Thank you for that answer.

Thank you, Mr O'Neill, for appearing before the committee. You may now step down.

BARBARA HERRON

Review of intended appointment, selected by official opposition party: Barbara Herron, intended appointee as member, council of the College of Midwives of Ontario.

The Chair: Our next intended appointee is Barbara Herron, who is an intended appointee as member, council of the College of Midwives of Ontario. Welcome to the committee, Ms Herron. As you would know, you have an opportunity to make an initial statement, if you see fit, and subsequent to that the questioning will come from the members of the committee. We'll be commencing with the government members in this particular case.

Ms Barbara Herron: Thank you for allowing me to appear before you and perhaps allay some of your questions about me with respect to my intended appointment to the council of the College of Midwives of Ontario.

I have been a consumer of health care in this province for over 60 years. I have raised four children, who are now adults, and I have five grandchildren. So I'm well aware of the problems that exist and the care that is available to pregnant women in this province. In fact, our last experience was less than a month ago.

My volunteering started at the age of 15 as a volunteer in my church. It moved through the Guiding movement, obviously sporadically during the time I was raising my children. I went back to sitting on boards etc when we

moved to the city of Brantford and I had more time available.

I have lived in Brantford for almost 28 years and have been actively involved in the arts council and in the social development council. I have been involved in fundraising for the Shriners hospitals and have had numerous other activities, obviously when time has permitted from my family and from my position at the university.

My particular interest in midwifery deals with the qualifications of midwives and the accountability of midwives to the consumer. Obviously, if you've read my CV, you can see I have a particular interest in the continuing education of midwives so they can improve their skills.

I will admit right now that I am a member of a political party. I'm a member of the Conservative Party of Ontario and of Canada. I know you're going to ask me, so I have admitted it.

I am now open to any questions you may have for me.

The Chair: I think you took away Mr Johnson's question, though.

Mr Johnson: I was just going to comment that you had overcome a tremendous barrier by that pronouncement.

Barbara, I just have one question, really, and that is a very public case very recently of a midwife who—first of all, I wanted to comment that for anybody who has a doctor, and Leona has commented that there are quite a few who don't, but in every general practitioner's office I have ever been in, his certificate says that he is a doctor and a midwife. I wanted to comment on that because there are a lot of people who don't know that that is part of every doctor's training as well.

The case that I wanted to ask about, and it's been in the news very recently, is a tragic case, I assume, from what I read, about a practitioner who didn't keep up qualifications or didn't follow the guidelines, that sort of thing. I wondered how you feel, as a potential member of the college, in addressing that type of situation.

Ms Herron: Knowing that I was coming here today and hearing that on the news last Thursday, as I live in the Kitchener area, I went out first thing Friday morning and got a copy of the Kitchener-Waterloo Record. There was extensive information there on the case in point. From what I read—now, that doesn't mean I was privy to all of the information that the particular committee of the council was privy to—I agreed with the council's recommendation. As I say, I'm not privy to all of the information.

I do believe that if one is going to call oneself a professional, one has to be accountable and one has to behave in a manner that brings credit not only to oneself but to one's profession. There were big gaps there that I questioned when I read the two articles in the newspaper.

Mr Johnson: Just a comment, which has absolutely nothing to do with that case. I believe St Jacobs—I live in Listowel, which is just up the road from Waterloo, and I also take the Record. That's why I'm aware of it. St

Jacobs has one of the few free-standing, separated midwifery clinics that I know of in Ontario, and I think part of that is because of the Amish and Mennonite community that it serves.

Ms Herron: Probably.

Mr Johnson: Those are all the questions I have.

The Chair: Any other questions? We now move to the official opposition.

Mrs Dombrowsky: Thank you very much, Mrs Herron, for attending this morning. You have assisted us greatly by indicating that you are politically affiliated. I'd like to ask you if you've worked on political campaigns. Have you had any particular role? Have you ever been a candidate?

1040

Ms Herron: I have never been a candidate. In the last three campaigns I worked on, I worked as the official agent or the CFO, so I've always been on the finance side.

Mrs Dombrowsky: For whose campaign?

Ms Herron: I worked on two federal campaigns for the Conservative Party and I worked on the last provincial campaign for Alayne Sokoloski as her CFO.

Mrs Dombrowsky: As her CFO.

Ms Herron: Yes.

Mrs Dombrowsky: I am curious to understand. Certainly, I can see from your curriculum vitae that you are very involved in your community. However, I don't see anything that indicates you've had a particular interest in a health discipline. I am just curious to understand how it is you've come to find yourself as a intended appointee to the college of midwifery. How has that happened?

Ms Herron: I have a friend who is a member of the council of the College of Massage Therapists of Ontario. She and I were away for a weekend together and we got to talking about the work that she does as a member of that council. I said, "That sounds really interesting. Now that I've got some more time on my hands, I'd kind of like to get involved in that kind of thing and move outside my community and maybe have a little more say and a little more input into things that happen on a wider basis." Through a contact in the minister's office, I heard that this appointment was coming up and sent in my CV to the minister's office.

Mrs Dombrowsky: So you contacted the Minister of Health?

Ms Herron: I heard from a contact in his office that this position would be coming up and so applied to him. I sent my CV to him, yes.

Mrs Dombrowsky: I think it's very important for the people of Ontario to understand how one gains access to these appointments. It's for that reason that I've asked you to describe this, because I know there are many people in the province who would be interested in serving in a similar role and I'm sure what you would describe here as the process or perhaps even a lack of process, but just the avenues that one might pursue in order to participate in this kind of role. I think it's a

significant role and a very important role as midwifery becomes more recognized in the province. I too am a mother of four, and certainly when I was having my children, as I can recall, the option of using the services of a midwife was never even presented to me. I share that with you with the hope that perhaps the college might look for ways to raise the profile of the profession within the province. I also believe that, as we as legislators look for better ways to administer health care in the province and we look at primary care reform, the profession of midwifery becomes more a part of that equation in terms of providing health services. I guess that's a little bit of a sermon on my part for you, as you will be appointed to this committee.

I believe my colleague has some comments or questions as well.

Mr Gerretsen: Good morning. I think the fact that you belong to a political party is a good thing, because more people should get active in politics. Obviously, I hope it's the party I represent, but there are other parties out there. There are good people and bad people in everything, so I for one certainly don't hold it against you in any way whatsoever.

Ms Herron: Thank you.

Mr Gerretsen: Let me ask you this. I noted that over the last number of years there have been a great number of nurses who have become qualified as midwives, yet it seems to me from what I hear that from a funding viewpoint there's a tremendous lack of funding. In fact, I believe, and I could be corrected on the numbers, that probably only about a tenth—or let's say up to a fifth—of those individuals who are qualified midwives in Ontario are actually employed as such.

Do you view it as part of your role on the college to in effect get after the government to utilize the people who are qualified to be midwives and to act in that capacity, to provide funding for them? I can think of at least three or four areas in eastern Ontario where there is a tremendous shortage of doctors, particularly in the rural areas, and where the funding of a midwife would be tremendously advantageous. Do you feel that is part of your role?

Ms Herron: I don't know whether it's part of my role, but I certainly do agree with you. I agree that there needs to be more access to affordable alternatives in health care, midwifery being one of those more affordable alternatives. I truly believe we need to have a greater degree of communication, or at least better communication, between midwives and traditional obstetrical care, particularly when I see that all of my children were delivered by general practitioners. That's not the case any more. General practitioners aren't delivering babies, and so we're using the services of highly trained specialists solely for delivering babies. These men and women are burnt out. They're leaving us because there's just no one to fill in. I think what we need is to make a greater commitment to the use of the more affordable alternatives.

Mr Gerretsen: In the various primary care restructuring proposals that are out there whereby, in effect,

health care professionals would be contained within a family health network or a clinic where you would have doctors, midwives, nurse practitioners, dieticians etc working as a group, do you see midwives being a part of that kind of arrangement?

Ms Herron: If that kind of arrangement were to exist, yes.

Mr Gerretsen: Do you support those new arrangements?

Ms Herron: I haven't really given that a great deal of thought, but when you bring it to mind, yes, I think that is the way that health care, to be affordable, is going to have to go to maintain the level of quality of care that we want in this province.

Mr Gerretsen: Thank you.

The Chair: We go to the New Democratic Party now.

Mr Martin: Thanks for coming this morning. My first question is around what motivated you to seek this appointment. I know you said you were talking with a friend who was on a board.

Ms Herron: Who sits on one of the colleges.

Mr Martin: Do you have any background in midwifery, anything that would qualify you or give us some sense of what you bring to this position?

Ms Herron: Not anything to do with midwifery, other than delivering four children. I have not been in contact with or had anything to do with midwives. I have friends whose daughters have used them. They weren't available to me when my children were born, the youngest of them being 30. That just wasn't something one did over 30 years ago. My daughters have both chosen to have their children using obstetricians. Probably because of problems in their first delivery, they continued to use obstetricians.

My concern here has been not that I know anything particularly to do with midwifery from a level of expertise, if that's what you're getting at, but I feel that I have some knowledge of the expectations of obstetrical care, and I believe midwives can provide that. But expertise-wise, no, I've never delivered a baby.

Mr Martin: What would you want to contribute or accomplish by way of this appointment? What would be the motivation behind your wanting to participate in this?

Ms Herron: As a professional in a totally irrelevant field, I know that the requirements for a good professional involve both competence and integrity. Therefore, I would want to see that in fact the standards that were set by the college maintained a level of competence and that members of the college lived up to that level of expectation and lived up to the professional code of ethics that was set before them. That's my major concern: delivering good quality health care to the women of Ontario.

Mr Martin: Do you see that as a problem right now?

Ms Herron: I don't think I see it as a problem right now. However, in any profession there's always room for a problem to exist. Although you can set down this level of standards of care, you can have all of that lined out

and you can have all of the rules of professional ethics laid out, it very often gives us a degree of belief that in fact we've covered all the bases, when we haven't.

1050

Mr Martin: What would you see as the major challenges facing midwifery in the province at the moment?

Ms Herron: I believe it's the removal of the artificial barriers to practice, and the lack of accessibility in some cases to the full use of hospital facilities. The lack of communication very often exists between midwives and other obstetrical caregivers, and sometimes I wonder if that's kind of protectionist on the part of other caregivers, that "We have our own little bailiwick and we don't want anybody to intrude upon it." I wonder if that is part of the problem with the lack of communication that has appeared to exist in some of the cases I've read up on.

Mr Martin: Any thoughts on how you might resolve some of those issues? You're certainly right; from what I understand from being in contact with midwives in my own community and reading up on some of the challenges, you've certainly identified a few. Any thoughts on how you might resolve some of those or what you might bring to the discussion that would be helpful in terms of resolution?

Ms Herron: I don't know. I think you've stumped me on that one. I haven't really thought beyond what I feel about the college and where I think it needs to go. How I might contribute to that? Perhaps from my own experience in working with people in various organizations, my own experience as a business administrator, where I worked in an organization and was the only person who didn't have a degree in social work, other than the secretaries who worked for me. It was a real challenge, sometimes, to communicate with those people. I think I developed a line of communication with them that they and I would agree worked to both of our benefits; it was just that we came from totally different sides of the map in terms of our background and our way of approaching people.

Mr Martin: You mentioned earlier that one of the major motivations behind enhancing the potential for midwives to participate in the health care system was cost, finding more cost-effective ways of delivering service. Are there other reasons for having midwives in the system besides that issue?

Ms Herron: I think in many cases they provide, I shouldn't say "better," but maybe a more consistent continuity of care. When one goes to a midwifery clinic or a group of midwives, a woman has a primary caregiver, but she becomes acquainted with the two to four midwives who are involved in that particular practice. When a woman uses an obstetrician, very often her baby is delivered by someone she has never met before because her obstetrician doesn't happen to be on duty that day. So there's a greater degree of continuity of care, and I think women need to have that option available to them.

The Chair: That completes the questioning. You may step down, Ms Herron. Thank you very much.

ELLEN GREENWOOD

Review of intended appointment, selected by third party: Ellen Greenwood, intended appointee as member, council of the College of Nurses of Ontario.

The Chair: Our next intended appointee is Ellen Greenwood, intended appointee as member, council of the College of Nurses of Ontario. Welcome, Ms Greenwood, to our committee. As you are aware, you have the opportunity to make an initial statement, should you see fit, and subsequent to that the questioning will come from members of the committee. I think we'll be starting with the official opposition when we start those questions.

Ms Ellen Greenwood: Thank you very much, Mr Chair and members of the committee. It is an honour to be considered for a position, as a public member, on the council of the College of Nurses of Ontario. I have had the opportunity to meet several of you in my role as advocate for the environment industry sector. That sector, which at its best provides the services and technologies to ensure environmental quality and to provide environmental protection, has many similarities to the important role of health care to the public.

I am an urban planner by profession, with over 20 years of experience in many different matters. My recent focus, as I mentioned, has been on the environment, which I personally consider, along with health care, one of the main priorities for the public today.

Before becoming a private consultant, I worked for many years at the city of Toronto as a planner. Subsequently, in my role as waterfront information co-ordinator, I worked closely with Art Eggleton and other members of city council, including Marilyn Churley. I've had the privilege to work very closely with members of the government and members of the public, and I believe I have developed a consensus-related approach and collaboration that has been highly successful. As an urban planner, I have learned the skills of gathering and evaluating information and of working with people of many disciplines. These skills, I hope and believe, would be of assistance to the council.

I have three children, all boys, and spend a good portion of my life running between hockey arenas and baseball diamonds. Frankly, all these years later, I'm still not sure what a lot of it is about. But between that and work, I have been very involved in community affairs. I am presently chair of my local ratepayers' group in Toronto. I am also very involved in the Ontario environment industry sector, sit on their board of directors and am chair of their advocacy committee.

In my professional life now, I work as a consultant, with clients in both the public and private sectors; as I said, primarily in the environmental sector but not entirely. It's quite a busy life, as is the case for many of us today, but it is important to be engaged in the activities of the community and this province.

I was born and raised in Ontario, and my father, a self-made man, instilled in me the need to participate in community life and to contribute to the society which has

been so good to us. Health care and the significant role of nurses in its delivery is something that touches all of us at one time or another: when my children were born, as my father aged and passed away, and most recently in dealing with my mother, who has Alzheimer's. It's easy to care about the quality of health care in this province.

It is a privilege to be here today and to be considered for this important position. I hope I have the opportunity to serve the public and the province at the college, and I look forward to your questions.

The Chair: Thank you very much. We commence our questioning with the official opposition.

Mrs Dombrowsky: Good morning, Ms Greenwood. First of all, I would like to commend you for all of your very fine efforts with regard to the environment. I think that is such an important area, and we certainly need more people like you who are prepared to volunteer their energy, resources and interest in that particular area. So I want to commend you for that. My husband and I have four children, three of whom are boys, so I can certainly appreciate when you relate your experiences of going from arena to arena and ball field to ball field, what that kind of life is like. It really is a lot of fun.

I certainly have been impressed by your resumé, but I must say I am curious. While your concluding comments did make some reference to why you might be interested in participating in a professional college that deals with a health profession, I guess I'm curious about how you have actually come to be here today. Given that you are a planner and you really don't have any life experience that relates to that particular area professionally, how is it that you have come to be an intended appointee for the College of Nurses today?

Ms Greenwood: As I said, in my experience as an advocate for the environmental sector, I have worked with many people in the province, in the Legislature. At one point several months ago, it was raised to me that my skills could be very useful in participating in the public life of the province. At that point in time, I was thinking more of the OMB and of the Environmental Assessment Board. The reality is that both of those could create conflicts of interest with my professional life, and that's part of it.

The other thing is, knowing my interest in health, which is very related to environment, and the fact that some of us who are advocating on behalf of the environment want much closer links between the discussion on the environment and on health because they are so interrelated, I was approached by someone, I believe, in the Ministry of Health on whether I would be interested in this particular appointment. On reflection, I thought it was a very appropriate approach for me, and I hope you will agree.

1100

Mrs Dombrowsky: You were contacted by people within the Ministry of Health. Are you a member of the Conservative Party?

Ms Greenwood: I recently became a member of the Conservative Party.

Mrs Dombrowsky: I'm always curious how people at the ministry would have names of individuals like you, and what we've come to understand is that very regularly they get those names because—

Ms Greenwood: If I may add, I think the contact to me may have been through my work and the fact that I have spent some time here as an environmental professional, as opposed to any political allegiance.

Mrs Dombrowsky: Thank you.

Mr Gravelle: Good morning, Ms Greenwood. Certainly one of the issues the college deals with is quality assurance and maintaining standards. But I think it's fair to say that nurses, particularly in the hospital setting, are under an extraordinary amount of pressure these days, perhaps particularly in the last five to seven years.

I think it could be argued that maintaining those standards that are set out can be difficult if there is a heavy workload, if there is not an appropriate staffing ratio. Almost all of us tend to think of nurses as being the backbone of the hospital system. Are you conscious of the pressures and the demands that are on nurses? Again, I don't want to simply focus on the hospital setting, but I think it's a place where we tend to be more conscious of it. Certainly it's true in other areas where nurses are needed as well.

I guess my question ultimately is, do you think the college should play an even greater role in advising the minister of some of these concerns and alerting the ministry to some of these concerns? Certainly I can speak in terms of the situation in Thunder Bay, where I'm from, in terms of the hospital there. The pressures are enormous, and I think there needs to be some way to help them.

We also know that this particular government laid off 10,000 nurses early in their term as a result of cutbacks to hospitals. These pressures have all added extraordinary responsibilities and burdens on the nursing profession, and I just want to know what role you think the college should play in this and whether they should play a more aggressive role.

Ms Greenwood: Without being involved and without being presumptuous, because I understand that the role of the council is set out in the legislation, I think that if you have a group of people who are familiar with a particular situation—in this case, obviously the college has a number of registered nurses and registered practical nurses as well as members of the public—they can be a very good resource to the government to advise them on matters. But again, without being involved in it, I don't want to be presumptuous and enter a territory that is beyond the scope of their responsibilities. However, as I said, it seems to me this would be a very good resource to give advice to the government.

Mr Gravelle: The college clearly does have an extraordinarily important role to play in this. Our notes tell us there was an audit of about 2,500 RNs and RNAs that was done by the college to see if they were meeting the standards, which is obviously important, but also what practices were impacting on that ability. Again,

with the pressures of the cutbacks in our hospital system in terms of the nurses who were laid off, the fact that many of them are put under a great deal of pressure as well as being called in for part-time work, I'm curious about your thoughts on whether or not the college should play a stronger role.

I think it's important to get your thoughts on it, because it seems to me that is a very important role the college plays. As a public member, I don't think one expects you to have the expertise of someone who is in the profession, but clearly it's important to have your thoughts on whether this is something we should be concerned about and whether the college should perhaps be even more actively involved in recognizing some of these challenges and trying to make some recommendations. I believe they have made a recommendation that in extraordinary situations where certain environments in hospitals are particularly challenged by these staffing problems, they should be alerting the public or at least alerting the ministry.

Are you familiar with the role the college has played in this, and again I ask whether you think this should be an area that is even stepped up in concern?

Ms Greenwood: Again, I'd just like to be careful in my response, because I'm not familiar with the day-to-day dealings of the college. But it does seem to me an important role, when you have a group of resources representing both nurses and the public, that they do act and provide advice. I don't know of other groups that would probably be in such a good position with the integration of discussion with the nursing population and again representing the public. I think it's an important role. We all know that health care is under stress, and I think any legitimate advice that comes forward should be welcomed.

Mr Gravelle: Do you think the college has a role to play in terms of just encouraging people to enter the nursing profession? Because of the challenges, particularly in the last seven years, I think the average age of nurses in the profession is one where many of them are near retirement age. I certainly know a lot of nurses personally who have retired and come back because the need is there, much like we hear about doctors. I just want to know whether you think the college can play a role in encouraging people to enter the profession.

Ms Greenwood: I would hope so. Again, the conditions nurses work under create a lot of stress in the workplace. To the degree that the college is the regulatory body over that, I do believe they should encourage conditions and create a situation where nursing is a profession people want to enter and that the stresses are dealt with to the degree possible. I think it's important. I do agree.

Mr Gravelle: Mr Chairman, how much time do we have left? I want one quick question.

The Chair: You have a minute left.

Mr Gravelle: I'd better give it to Mr Gerretsen, then, to give him an opportunity.

Mr Gerretsen: I'm just curious. As I mentioned before when we were interviewing the other witness,

people should belong to political parties. It makes the process grow and it's very important to the system. But why did you join the Conservative Party when you're an environmentalist? Was it in the hope of trying to turn the government around, so they would put back the 40% in funding they cut? Why did you join the Conservative Party if you're really interested in the environment? Or is it because you had a number of contracts with the government?

Ms Greenwood: No. As a matter of fact, I have more contracts with the federal government and I actually have no contracts with the provincial government.

Mr Gerretsen: You realize this is being televised. They're watching this in Ottawa right now. But can you answer my first question?

Ms Greenwood: I have to say that as someone who works with all parties, I don't normally—actually, I have been involved with many different parties and many different members of different parties over the years. I believe that the opportunity to be involved in the Tory party and to help select the new Premier for this province was very important.

Mr Gerretsen: Did you win? Were you on the winning side?

Ms Greenwood: Not really. With my environmental background, I had other—but I am very pleased to work with this government. I have had very good response in working with this government on environmental matters, and hopefully will do more in the future, with whomever.

The Chair: That concludes the questions, thank goodness. We now move to the third party.

Mr Martin: Following up on that, I guess I find it interesting, given your resumé and your consulting on behalf of a number of fairly substantial corporations where issues of the environment and projects moving forward were concerned, that you would have also chosen to belong to the Conservative Party, given that at the moment they are the government in Ontario and the fact that you are probably before a number of boards controlled by them to get permissions etc. Does this in any way present to you as a conflict of interest or a potential conflict of interest?

1110

Ms Greenwood: In my professional life, as I mentioned earlier, I believe it's important to work with all parties and all people to try and achieve ends that are important for the public. As an urban planner I've been lucky because so much of my work has allowed me to be engaged in those types of activities.

There have been a number of initiatives that have come forward from this government that have been extremely good for the environment, including most recently some of the waste matters, and so it has been possible for me to be involved in that way.

Mr Martin: Because if you look at some of the work that you do—it says here, "consulting firm which specializes in government relations, communications, strategic advice and business development for clients," "special adviser, corporate and government affairs," "vice presi-

dent, communications and government relations”—the whole slant of your professional life seems to be directed to convincing government that the people who employ you, who pay your wages, have in fact a project that should be approved, never mind the sort of environmental concerns that may go along with that. I guess I'm just wondering what pressure would have been there for you to have joined the Tory party at this particular point in time, given the very clear connection that is there in terms of approvals. I'm concerned about the public interest here.

Ms Greenwood: First of all, I'd like to clarify the fact that one of the reasons why I have stayed a private consultant is it has given me the opportunity—between running around with my children—to work with clients that are strong environmentally. I do care about the quality of my work and I do care about my reputation. I do not take clients when they do not have sound projects—environmentally, scientifically backed projects. I just want to clarify that, because it's very important to me.

Now, I'm sorry, the actual question to respond to was?

Mr Martin: I guess what I'm trying to determine here is whether you can act independently as a member of the College of Nurses to take into account the public interest when you so obviously act on behalf of some pretty major corporations in your professional life and have, in an obvious way by joining the Tory party, indicated clearly your capacity to take advantage of that connection to perhaps further the interests of your employer.

Ms Greenwood: Again, those of you who have dealt with me, and of course some of you know me a little bit, know that—and again, I'd like to say that my reputation is one of being even-handed, non-partisan in my work. I like to think of myself as a professional. I have absolutely no doubt in saying to you now that I would give my best professional advice, non-partisan, to make sure that the public interests are protected.

Mr Martin: OK. I suppose I can take that from you at face value, except that I'm beginning to understand more and more, as time goes on and I speak to people, how this government works. I was at a meeting two weeks ago in Blind River and a very prominent member of a local council, who was looking for some support in terms of some of the water issues facing them, approached a minister who should have been able to help that person in that effort, and the first question the person was asked was, “Do you have a card?” She thought the person meant, “Do you have a business card?” In fact what they were looking for was a membership card in the Tory government.

Mr Gerretsen: Shame, shame.

Mr Martin: Yes. I thought it was a terrible question to be asking. I guess what it does is it piques my concern, where this government and the public interest are concerned and the appointments that we see come through here on a fairly regular basis of well-placed Tory members, to hope that in this instance the interests of nurses and the interests of the public are going to be prime and of foremost concern where you're concerned.

Ms Greenwood: I'd just like to point out that my recommendation to participate in public life through an agency of the province predates my involvement with the Tory party. As I said, my formal involvement with the Tory party actually began prior to the election of the new leader. So I'd like to think that the people who approached me—my discussions really were based on my professionalism and my concern for a quality environment and quality health care for this province rather than any political leanings that I may have. I certainly feel like this myself.

Mr Martin: Who were these people who approached you?

Ms Greenwood: As I said, in terms of the College of Nurses, I was contacted by someone from the Ministry of Health. My earlier discussions, which had been more the result of some discussions—I had worked very closely with a number of other ministers of the government as an advocate for the environmental field. They knew of my interest in community life and participating in that.

Mr Martin: Would that be from the political side or the bureaucratic side of the Ministry of Health?

Ms Greenwood: To be honest with you, I had a call from someone and I'm not sure where they were from, from the health perspective.

Mr Martin: I may have missed this, but do you have any specific background at all in nursing, in health care?

Ms Greenwood: No. As I said, as an urban planner, the discipline of planning is one that facilitates gathering information and learning how to deal with it. If you look at my record, I've been involved in literacy, transportation, environment, obviously—actually, strict land use planning and development. The list goes on. Urban planning is basically a discipline which teaches you skills to be able to address and make recommendations on certain subjects, but I have not directly been involved from a professional perspective in health care. I have, as a member of this community, obviously been involved in health care.

Mr Martin: So what would you bring to this council by way of knowledge, expertise, background or concern that would be helpful to both nurses and the community of Ontario?

Ms Greenwood: I think I have the perspective of a member of the public. I would certainly know how to gather and assess more information. I think those two perspectives would be quite valuable. And, as I said, on a personal level, I've had quite a bit of experience.

Mr Martin: What are the major concerns, in your mind, facing nursing and nurses in the province today?

Ms Greenwood: There are a number of issues: obviously, the stress on the nursing profession, the ability to attract nurses throughout the province and not just in cities like Toronto. Wages are an issue to attract good nursing care. I believe there's a role for nurses to work collegially with other medical professionals and serve perhaps a more creative role than has been the case. I know, for example, that there is a new class of extended nurses which can work with people in old age homes and

can provide some creative support to the medical profession; certainly the problem of educating nurses in the province and having them leave and go to the United States, which is obviously partly a wage issue. These are all important issues.

The public wants and needs good quality nursing, and obviously it's important to provide an environment for nurses that is conducive to this.

The Chair: We move to the government.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much for coming today. I certainly will be supporting your appointment to this board, but I know Mr Bradley would be very disappointed if I did not ask this question. We've heard that you've recently joined the Conservative Party to take part in the leadership. Have you ever, through yourself or a holding company, had membership in any other party or donated to any other party?

1120

Ms Greenwood: Yes, I have.

Mr Mazzilli: Who would those parties be?

Ms Greenwood: Certainly, the Liberal Party, and I am sure—

Mr Gerretsen: Can we get your address, please?

Ms Greenwood: I have worked very closely with members of the NDP, but I don't recall, I have to say, ever contributing. But that may be because I've never been asked to a fundraiser.

Mr Mazzilli: I think Mr Bradley wanted that question on the record, so that was my only question. Obviously, as Chair, he could not ask that question.

Ms Greenwood: Absolutely.

The Chair: Any other questions?

Mr R. Gary Stewart (Peterborough): Before I get to the question, I want to compliment you on your involvement in this past leadership contest. Unfortunately, many Ontarians get very complacent and we don't get involved enough in it. We'd be the first ones who would be very outspoken if we didn't have the right to vote, so I compliment you on that. Also, you had an interesting answer to my colleague of being somewhat in the right place at the right time possibly, over the past few years.

In a few words or less, what do you think of health care in Ontario? Because you're getting involved with something that is certainly a priority and a very important part of the way we operate in Ontario.

Ms Greenwood: I think it's a system under stress that needs support.

I think that the role of nurses is extremely important; I think the term was the "backbone" of the system. I think it is the backbone of the system. In fact, it's probably the term I would have used. There is a role for the nurses to be more creative in providing and supporting the system. As I said, I think there's a role for a collegial approach between the different aspects of the system to work together much more effectively. We all hear stories of problems.

Near me, I have two doctors who are at the Hospital for Sick Children. They tell me of waiting rooms, they

tell me about no places to put children at night. I know I've brought my own children down a couple of times. We've been put in the atrium and we've waited and waited and waited all night for some sort of support.

I also think there's another issue in the way the public uses the health care system, which is beyond the scope of the College of Nurses but is something that should be addressed eventually, and hopefully will be. So, yes, I think it is a system that is under stress and needs support.

Mr Stewart: What do you think of nurse practitioners?

Ms Greenwood: I think there's an important role for nurse practitioners, and I know that it can be very effectively used. I believe that the nursing profession, used properly, can help fill in the gaps that exist now.

The Chair: That completes the questioning. Mr Wood?

Mr Wood: We'll waive the balance of our time.

The Chair: That completes the questioning, Ms Greenwood. You may now step down. Thank you for being with us.

TERENCE TAIT

Review of intended appointment, selected by official opposition party: Terence Tait, intended appointee as member, City of Kingston Police Services Board.

The Chair: Our next intended appointee is Terence J. Tait, intended appointee as member, City of Kingston Police Services Board. Welcome to the committee, Mr Tait.

Mr Terence Tait: Good morning.

The Chair: I know you would be aware that you have an opportunity to make an initial statement, and that questions will come from members of the committee subsequent to that. We will be commencing those questions, in this case, with the third party.

Mr Tait: First off, I have no real experience in police matters. But the good news is I've got no real experience in criminal matters. So what I would draw upon is my work experience and my community experience.

I don't know if you've ever been to Kingston, but one of the things you would probably check out, other than Mr Gerretsen's office, would be the Thousand Islands. In Kingston, there's a tour boat called the Island Queen. I don't know if you've been on it, but I built it with two other chaps. I can't favour you with any passes, because I've sold out. But if you ever get to Kingston, I would certainly recommend a tour of the Thousand Islands.

I've had other work experience, entrepreneurial experience. I'm still a developer. I'm with a group that basically subdivides land and provides lots to builders who build houses. I've been doing this for 20 or 25 years. I also have an interest in building commercial buildings. I own some and have built some. That's one of the things I've done.

In my spare time I've been a lawyer. I'm trying to remember now: I graduated from Osgoode in 1966 and was called to the bar in 1968, so I've been doing this for

almost 35 years. Over a period of that time, I was quite busy. I was on my own, and I had five legal secretaries. That was for about 10 or 12 years. The point I'm making here is that workload or work is not an issue with me. It's no problem at all.

In terms of being involved in the community—by the way, I haven't applied for a job in 30 years, so it was fun making up a resumé. I've always been self-employed and done my own thing. When I first went to Kingston, one of the first things I got involved in was the cancer campaign. I eventually worked up to become the chair of the cancer campaign. I've been involved with the local hospital. I was on the board of directors of Hotel Dieu for nine years. I'm a past director of a Rotary Club and was involved with that for 10 or 15 years. I was the founding president of L'Arche Frontenac, which you might not know. It's a home that we developed in the north part of the county for mentally handicapped adults. It was like a farmhouse. I don't know if you know about the L'Arche concept; it comes down from Jean Vanier. I got involved in that, and it was most interesting. I was the past president of the Frontenac Law Association—I didn't want to forget that.

One of the things you won't see in my resumé, though—it's sort of a personal thing—my wife and I and our two boys adopted a teenaged daughter. We brought her into our house at age 14. She's now 24 and just doing wonderfully. You can imagine—or maybe you can't—she was a crown ward. She lived in about 20 different foster homes in 14 years. She was going in one direction only, and that was down. So we brought her in, and it was a 24-hour-a-day project and we turned her right around. The results are wonderful, and we are extremely happy about that. But it was a way of contributing to the community. It's much easier to write a cheque, but we actually went out there and did something.

I would hope this sort of experience—being involved in the community—would be helpful on the Kingston Police Services Board. I ran out of community projects. I've cut back my law practice, so I've got loads of time now. I heard about this position, and I thought this would be a nice way to contribute to the community. In closing, I hope I could make a positive contribution to the Kingston Police Services Board.

The Chair: Thank you very much, sir. We'll commence our questioning with the third party.

1130

Mr Martin: Thanks for coming this morning. In listening to your involvement and your busyness in Kingston over a long period of time, I guess the first question is, besides being interested in the police services board, what at this particular point in time would have triggered your actually putting together a resumé and applying to serve in this capacity?

Mr Tait: I've always been interested in the police. I've always admired them. An incident happened a couple of years ago. I got a phone call in the middle of the night; it was a chap who said there were police cars and fire trucks surrounding one of my buildings. So I

jumped in my car and went down. When I got there, there were a bunch of windows broken and there was another building farther down that was on fire and it was quite active. One of the police officers, in pitch dark, went smashing through the window intent on finding the intruders. I was amazed. Fortunately, the intruders had been and gone. So I admire them.

Then, on top of that, the canine unit came in, which I didn't know about, and the policeman with the dog—I'll never forget his name: Razor—was told where the alleged criminals were, and the dog went to the spot, picked up the scent and literally took the police right to the front doorstep of the house where, as it turned out, one of the criminals was. He was a juvenile. He immediately confessed.

I was impressed. So when this came up, I thought this would be kind of interesting to get involved in to see if I could assist in some way or fashion to ensure that the security and safety of the citizens of the city of Kingston were protected. They were certainly protected in this instance.

Mr Martin: When you say, "When this came up," how did this come up?

Mr Tait: This appointment?

Mr Martin: Yes.

Mr Tait: I heard about it through the past chairman of the board. He told me.

Mr Martin: He suggested that this might be something that you'd be—

Mr Tait: That's right. He suggested this might be of interest to me, and I thought it would be.

Mr Martin: Did he elaborate on why he thought you in particular would be a good fit?

Mr Tait: No.

Mr Martin: Is there anything in particular about policing and police services in Kingston at the moment that is of concern to you?

Mr Tait: I imagine the big problem that they have now—not being a member of the board, but from what you read in the newspaper—is that the city has amalgamated with the two adjacent municipalities and the police force is operating out of the old police station for the old city now with the population practically doubled. You now have, I think, 200 staff working out of a building that was built for 80. To me, that doesn't sound very efficient. So probably a major concern of the police services board would be to provide a new facility that would make their operation more efficient and probably improve morale.

Mr Martin: Is morale a problem?

Mr Tait: Not that I'm aware of, but it sounds like an awful mess: 200 people in a building for 80.

Mr Martin: Other than the experience you've shared with us of going out in the night to see if this building that was under—

Mr Tait: My building.

Mr Martin: Your building, yes. Did you have any other involvement at all with police or policing in the community that situates you in a way that would have

you readily understand some of the challenges that are faced?

Mr Tait: Not really. As a lawyer I really didn't practise criminal law, except when I first started. I recall that it seemed to me that policemen were more involved with attending in court on remands. To my way of thinking, if something can be done to get them out of that role, to reduce that role and get them out into the public and make them more visible, I would strive to do that.

Mr Martin: That would be what you would bring of most help to this work?

Mr Tait: As a member of the board I would promote that among the other members and in consultation with the chief. I may be of assistance to them too if they do go ahead and build a new police station, given my experience.

Mr Martin: You wouldn't have any conflict of interest there in terms of some of the property you own or development you're doing?

Mr Tait: None, no.

Mr Martin: What's your understanding of community policing?

Mr Tait: Very little. I understand we have it. I'm not up to speed on that, but if I get on the board I'm sure I can get up to speed pretty fast.

Mr Martin: Are there any issues in your area of concern between, say, the police association and the police chief and the board?

Mr Tait: If you're referring to the council, Mr Stoparczyk—

Mr Martin: Possibly.

Mr Tait: —that's something I read about in the local newspaper. I guess the net result was that the police board chairman and the police chief apologized to Mr Stoparczyk.

Mr Martin: Has that created any difficulty, then, with the police association in any way that you're aware of?

Mr Tait: I'm not aware of it. It's like the old story: if you only know what you read in the newspaper, you don't have all the facts. I hate to comment on that or take a position, but obviously when people apologize, something did go wrong. Other than that—that's all I know.

Mr Johnson: I just have one. Mr Tait, as you're aware, we had a young fellow in here, Michael O'Neill, who's applying for a position on the health council in the Kingston area. I just wondered if the arrangements that Mr Gerretsen made for you and he to come up together to save on transportation were satisfactory.

I make that in jest.

Mr Tait: I still feel like I'm on the 401, so I'm not pleased with Mr Gerretsen's travel arrangements.

Mr Johnson: I make that in jest, but I did want to add that I'm pleased to see you offer yourself for a public position. I wish you well.

Mr Tait: Thank you.

Mr Mazzilli: I have a question, sir. Have you ever contributed money to the Ontario Liberal Party?

Mr Tait: Never.

Mr Mazzilli: I tried. Sir, you will be a great board member.

The Chair: I should say to Mr Mazzilli that, as you know, in the Legislature we seldom ask questions to which we do not already know the answers.

Mr Mazzilli: I was 50-50 today, sir.

Mr Gerretsen: It's nice to see Mr Tait here this morning. I guess we've known each other for, what, all of these 34 or 35 years—

Mr Tait: I think so.

Mr Gerretsen: —in one capacity or another.

You were asked by Mr Mazzilli whether or not you have ever contributed to the Liberal Party. What you didn't put in your resumé is that indeed you have been a very active worker and supporter, at least in the past, for the federal Conservative Party, and as a matter of fact you were the campaign manager for one of the best members we ever had in Kingston, Flora MacDonald.

1140

Mr Tait: Thank you very much. She was one of the best candidates. That's correct, what you said.

Mr Gerretsen: Absolutely; I completely concur with this. I would suggest that in the future you put that in your resumé, because it really sells.

Mr Tait: Thank you very much.

The Chair: My compliments to the Conservative members. She was a red Tory, I think.

Mr Gerretsen: But Mr Tait was very successful in that effort.

You made reference to the fact that with the new city of Kingston and the old police building that we have there, which has been a subject of controversy for I think the last 25 or 30 years, ever since it was built—because it was basically two buildings put together, if I remember correctly, and there were leakage problems and everything else associated with that—now, with the expanded force, they definitely need a new facility. I believe council is dealing with that matter currently.

Let me ask you this. You may recall that some 15 years ago or so there was a proposal put forward that the city police take over the policing of Kingston township as well. This was at the time when for the first time the OPP was going to charge for their services. Were you involved in any way, shape or form at all in that rather controversial movement at the time on either the city police side or the OPP side?

Mr Tait: Was that when the OPP wanted to set up a station and the city wanted to take Kingston township? Is that it?

Mr Gerretsen: The city put in a proposal to do the policing in the township as well, and the OPP put in a better proposal, but basically not charging the true costs, what it actually cost the OPP to police the township. As a result of that, there was a tremendous movement within the old township of Kingston to retain the OPP and many people got actively involved in that. Did you get involved in that at all?

Mr Tait: Not at all.

Mr Gerretsen: My reason for asking that is that I think there may still be some lingering bitterness and people may perceive a commissioner to be either on one side or the other side of this old chestnut, as it were.

I'd like to turn to the Stoparczyk situation for just a moment. I take it that the only reason you mentioned that earlier is that you get the same sort of legislative briefing notes that we get. There's one comment the Whig-Standard made at that time about the whole situation. I must admit I found the whole thing a little bit bizarre, when it first started and how it finished. You and I know Mr Stoparczyk quite well and I think he's a very honourable individual to ever have been involved in that kind of situation or to be alleged to have been involved in that situation. Of course, the case was eventually totally dropped, without any evidence being offered.

The Whig-Standard said, and this comes to the role of the police commissioner or the members on the police services board, "But what should be a critical oversight group of vigilant citizens has usually acted as a rubber stamp and apologist for the police," in reference to the police services board. What role do you feel the police services board should play in the operation of the policing in a community? Obviously there was some feeling at that time that maybe the police services board hadn't acted properly, hadn't asked the right questions after this event.

Mr Tait: I think, as you know, the police services board does not get involved in the day-to-day operations of the police force. As far as this particular case is concerned, all we know is what we read in front of us, and very often there probably are other facts we are not aware of. It is astounding. I think Mr Stoparczyk has been on council longer than Mr Gerretsen.

Mr Gerretsen: No, no; don't do that to him, please.

Mr Tait: In other words, he's a very well known person in the community. So you have a charge of criminal assault?

Mr Gerretsen: Yes.

Mr Tait: That's a pretty serious charge laid against him. It's alleged that the police did not interview him. On that basis it sounds unusual, but who knows? Maybe his lawyer said, "Don't talk to the police." I don't know, but maybe people on the board know this. I don't know, but it does seem very unusual. As a potential member of the board, I would certainly promote policies among the board, if the board accepts them, in consultation with the chief, that would ensure that this sort of thing doesn't happen again.

Mr Gerretsen: Are you saying that basically you would have asked some pretty specific questions of the chief and the other people involved as to how this could have happened? And you're right: it may very well have happened on some sort of in camera basis. But is this the type of action you would take as a member of the board?

Mr Tait: It's the sort of thing I would do at the board meeting. Whether or not the board follows my recommendation is entirely up to the other members, but yes, definitely.

Mr Gerretsen: There have been some other incidents as well. There was a rather public dispute just recently between the owner of a number of properties in what is commonly referred to as "the hub" and the chief of police. Do you have any comments on that at all?

Mr Tait: None.

Mr Gerretsen: It dealt with whether or not extra policing was required at the intersection of Division and Princess Street, and the chief had one view of that. I've got the highest regard for Chief Closs as well, who started off with the OPP and was regarded as the individual who could quite effectively bring the OPP and the city police together. Do you have any comments on that situation at all?

Mr Tait: No, I don't, really, Mr Gerretsen. I'm not conversant with that issue.

Mrs Dombrowsky: Good morning, Mr Tait. With regard to the Stoparczyk incident in the city of Kingston, as a result of the publicity that particular case attracted there were a number of other individuals within the city of Kingston who voiced similar concerns around the police services in the city. Are you aware of those? Is that an issue for you? Is that something that as a member of the board you would want to pursue? While I appreciate that as a member of the police services board you would not be involved in micromanaging the service, surely as a member of the board would you not think you had a significant responsibility to ensure not only that those kinds of issues are addressed, but that measures are taken to ensure the service is not perceived in that way within the community?

Mr Tait: As a member of the board, I would agree with you. Again, it's what was written in the newspaper: "numerous complaints." How many are "numerous"? I don't know. Who where they made to? Were they made to the police chief? Were they made to the board? If they were made to me or I heard about them, I would certainly do whatever I could to investigate them. But I take things with a grain of salt when I read the newspaper.

Mrs Dombrowsky: But you have to understand that this is a service that is paid for by the taxpayers, who don't take those kinds of reports in the newspaper with a grain of salt. They would like to think that the service they are paying for is effective and is operating in their better interests. So while you might be privy to some facts around these alleged incidents, there is still a perception within the community that I believe needs to be addressed by the police services board. Do you think it is your responsibility, as a member of the board, to make sure that those perceptions within the public—the community, the people who pay for the service—are allayed?

Mr Tait: The perception seemed to be the perception of the Whig-Standard. Having said that, it's out there. It may be the perception of the community; I don't know. I recognize that it's out there by the Whig. I would look into it and, if it needs to be addressed, address it so the people in the community know that either it's not an issue or it is an issue. If it is an issue, I would ask the

board, in discussions with the chief, to do what's necessary to correct it.

Mrs Dombrowsky: Do you think that at the present time the concerns of the community have been allayed?

Mr Tait: I don't know.

1150

The Chair: That completes the time allocated to the official opposition. We have completed our questioning now. Thank you, sir. You may step down.

A point of order?

Mr Gerretsen: This isn't a point of order. I just wanted to make a statement, not about this particular candidate but in general.

Mr Wood: Which is probably out of order, but carry on anyway.

The Chair: We're very fortunate we have Mr Wood's kind consent.

Mr Gerretsen: I made this request earlier, I think when I was privileged to attend this meeting four or five months ago. As a non-voting member, I realize that my powers here are extremely limited.

The Chair: Extremely limited.

Mr Gerretsen: There's been an awful lot of discussion this morning again about how people find out about these appointments and whatever. Sure, people find out in all sorts of ways: through government members, through opposition members, through government agencies, through departments, through word of mouth and hearsay. I will give credit to the NDP government from 1990 to 1995 for one thing—for a number of things, but one thing that they really had right as far as I was concerned was that back in 1994 they published a document which contained every position within the Ontario government to which people are appointed in one way or another, what the terms of reference were, what the remuneration was, what the length of service was, when the appointments came up etc, and that document was available in public libraries all over the province.

I think if we want to get the best people brought forward in one way or another, the first thing that has to happen is people have to know that these appointments exist. Although word of mouth may be one way of doing it—

Mr Mazzilli: They're on the Web site.

Mr Gerretsen: Well, they may be on the Web site, but a lot of people do not have access to the Web as yet. I think if a publication came out—and I would urge the government members to take a look at the old publication that came out in 1994-95, which gave the people of Ontario the greatest possible knowledge as to what positions are out there.

If they were advertised in some way or another—and they may very well be on the Web site; I don't dispute what you're saying for a moment—at least people will have an opportunity then to know what's out there and we won't get involved in these kinds of issues, "Did you hear it from so and so?" and that sort of thing. So I would urge you to make the whole public appointment process

as open as possible so that we can get the best people to serve the people of Ontario.

The Chair: Thank you for your point of—what shall we call it, Mr Wood?—your point of view, I guess, that you have expressed.

I should tell you that members of the committee have discussed the matter of how best to have the information available to the public. Everyone on the committee is aware of that and each may communicate with the Premier or any other minister or any other office should they see fit. Some day, if the committee wishes to come forward with a specific recommendation that the whole committee agrees with, perhaps we'll pass it along. But at this point in time it's individual views, and I certainly urge members to pass those views along to the appropriate authorities.

We'll now deal with two items. I want to say we'll need some extensions to deal with, if we can, in a moment, but I want to deal with the consideration of the appointments first of all.

The first appointment is Michael O'Neill, intended appointee as member, Southeastern Ontario District Health Council.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? All in favour? Opposed? The motion is carried.

The next appointment is Barbara J. Herron, intended appointee as member, council of the College of Midwives of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next is Ellen Greenwood, intended appointee as member, council of the College of Nurses of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The next intended appointee is Terence J. Tait, intended appointee as member, City of Kingston Police Services Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any discussion? All in favour? Opposed? The motion is carried.

We now have to deal with the matter of some extensions required: Joseph deMora, Cancer Care Ontario, a March 22 certificate; John Melady, Custody Review Board, Child and Family Services Review Board, March 8 certificate—on April 3 he received a 15-day extension. There are four outstanding intended appointments to be scheduled. So we require two things: one would be an extension of the time required for the committee to deal with these, and the second would be setting the date for the next meeting.

Mr Wood: I'd be hopeful of getting us fully up to date prior to the start of the session, which I presume

would be around May 9. I'd like to offer that as a comment. What do they need? A 20-day extension?

The Chair: It depends on when the next date is. Would 20 days do it? Shall we perhaps set the date of the meeting and then decide what the extension shall be, or would you like to do it the opposite way?

Mr Wood: My only concern is that we not have a backlog when we get into another sitting.

The Chair: Exactly.

Mr Wood: So if I could get some help on that.

The Chair: As the Chair, I agree with the member. Yes, Mr Gravelle?

Mr Gravelle: Can we look at a May 1 meeting? That would give us an opportunity to have the potential to meet on May 8 as well, because I think that further certificates have come forward this week or last week.

The Chair: Looking at the committee agenda, I see that we have the select committee on alternative fuels, of which I'm a member and am not sitting on this morning, sitting that day. The day before, Tuesday, April 30, is completely clear of any other committees. I don't know how that fits with members of the committee.

Mr Wood: There appears to be some flexibility.

The Chair: April 30 appears to be OK, Mr Martin? What about you on April 30?

Mr Gravelle: That sounds fine to me, Mr Chair.

The Chair: Fine to Mr Gravelle.

Mr Martin: If we can't get it all done the next week, then maybe May 8? Is that what you're saying, Mr Wood?

Mr Wood: We don't know what's going to come down the pike between now and then. If you have only one day, then we'd have a backlog going into the extra sitting. I think the idea of sitting on April 30 or May 1 is good, so that if we do find ourselves with more names

than we currently anticipate, we'll have another day when we can sit.

Mr Martin: April 30 is fine.

The Chair: April 30 appears to be a consensus. I'm looking for any objection. Other than that, on April 30 each party may substitute if we deem that appropriate. If April 30 at 10 am is fine, we will declare April 30 the date.

Mr Wood: That requires how much of an extension?

The Chair: A 14-day extension is required.

Mr Wood: I would ask unanimous consent for a 14-day extension of the names listed earlier, which no doubt you and the clerk could give us again so we know what we've extended.

The Chair: Yes, we will give those to you again. Would you like them now? I will give them to you right now. He's asking for unanimous consent for these extensions: Joseph deMora, Cancer Care Ontario, a March 22 certificate; John Melady, Custody Review Board, Child and Family Services Review Board, a March 8 certificate, and he had received a 15-day extension on April 3. I guess he was not able to be with us. There are four outstanding intended appointments—two plus those two. Two of those four outstanding intended appointments need to be scheduled.

Can we have that extension? Do we agree with Mr Wood? Thank you. We have that agreement among members of the committee.

We have agreement on the next date for the committee to meet. Is there any other business to come before the committee? If not, I'll entertain an adjournment motion.

Mr Wood: So moved.

The Chair: Mr Wood has moved adjournment. Any discussion? If not, all in favour? Opposed? Carried unanimously.

The committee adjourned at 1201.

CONTENTS

Wednesday 17 April 2002

Subcommittee report	A-403
Intended appointments	A-403
Mr Michael O'Neill	A-403
Ms Barbara Herron	A-406
Ms Ellen Greenwood	A-409
Mr Terence Tait	A-413

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr R. Gary Stewart (Peterborough)

Also taking part / Autres participants et participantes

Mr John Gerretsen (Kingston and the Islands / Kingston et les îles L)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr Andrew McNaught, research officer,
Research and Information Services

CAZON
XC 19
- 652

Government
Publications

A-26



A-26

ISSN 1180-4335

Legislative Assembly of Ontario

Second Intersession, 37th Parliament

Assemblée législative de l'Ontario

Deuxième intersession, 37^e législature

Official Report of Debates (Hansard)

Tuesday 30 April 2002

Journal des débats (Hansard)

Mardi 30 avril 2002

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Tom Prins

Président : James J. Bradley
Greffier : Tom Prins



Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'Index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 30 April 2002

Mardi 30 avril 2002

The committee met at 1007 in room 151.

INTENDED APPOINTMENTS

DAVID ANGUS

Review of intended appointment, selected by official opposition party: David Angus, intended appointee as member, Ontario Place Corp board of directors.

The Chair (Mr James J. Bradley): I'll call the meeting to order, for the purposes of Hansard and our committee. We will commence immediately with the appointments review. The first will be the intended appointee as member, Ontario Place Corp board of directors, David G. Angus. Mr Angus, you may come forward. As I know you would be aware, you have an opportunity to make an initial statement, should you see fit, and then you'll be questioned by each of the political parties represented on the committee. Welcome, sir.

Mr David Angus: Thank you, Mr Chairman. I would like to take the opportunity to indulge the committee with a few words, primarily about my background. I grew up in Thunder Bay. I am the proud father of six children. I originally started my professional career as a teacher. I spent some time in government and then, latterly, have become a partner in a public relations firm, which also has public affairs and a unit that does an extensive amount of procurement and procurement support.

Throughout my professional career, we have been involved in a number of organizations in providing support for them to help them grow. I might just mention a few of those: we've worked with the Ottawa Senators, the Montreal Expos, the WWF, Toronto 2008, the Royal Conservatory of Music and the Royal Botanical Gardens. During that process, I think we've been fairly successful in supporting a number of those organizations, although many of them actually found themselves in some difficult times.

I think as you grow a business and raise a family, you spend some time and reflect on giving back to the community. Over the last number of years, I've found myself with the opportunity to give back to the community and the city of Ottawa.

I'm proud to say that I've been asked to participate and am involved in the Ottawa Hospital Foundation board. As you know, raising money and seeking new partnerships for hospitals is not an easy challenge, and I've found the opportunity to do that. Also, the museum

of natural science and nature in Ottawa is going through some challenging times and I have been able to contribute in, I think, a positive way to that organization.

I do look forward to the opportunity to work with the board at Ontario Place and contribute and help that organization grow. I've been involved over the years peripherally with Ontario Place. I'm happy to say that when Ontario North Now opened I participated in that opening. I was involved in the establishment of the Molson Amphitheatre. We were involved when Ontario Place looked to try to extend their season with the international boat races. We've also worked with organizations in terms of the tobacco legislation when Benson and Hedges were involved with the fireworks in terms of the prestige that brought to the organization.

When I look at Ontario Place I see that it has often been on the leading edge of demonstrating some leadership through the province. It was one of the first organizations to bring a waterslide to Canada; the IMAX theatre; the amphitheatre; also, as a former educator, the fact that as it looks to meet changing economic times, it's getting involved in educational promotion and looking to attract more participation through education sponsorships and having the schools participate in the area.

As a board member, I feel very honoured that I was asked to serve on the board. I know that it's facing a number of challenges. One of the members of this committee in the past has had something to say about the future of Ontario Place and finding new partners. As I've looked at its mandate and some of the challenges, I think my background is suited to finding new partnerships and new relationships to continue to have the organization flourish and prosper. I do appreciate the opportunity to come before this committee.

The Chair: Thank you very much, sir. The rotation now goes to the government.

Mr Bob Wood (London West): We'll waive our time.

The Chair: The government has waived its time. We'll move to the official opposition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Angus. I'm curious to understand how it is you have come to be an intended appointee to the Ontario Place Corp.

Mr Angus: I'd like to think that it's some recognition of some of the activity I've done in and around the city of Toronto in representing a number of organizations and

that I have actually, as I've tried to indicate, participated with other groups and agencies in terms of supporting Ontario Place. I would hope that it was perhaps a recognition of some of the effort I've put forth that my limited talent may be recognized.

Mrs Dombrowsky: So am I to understand that you have been invited to offer your name to participate, or did you respond to an ad in the paper?

Mr Angus: No, I didn't respond to an ad in the paper. I was actually invited.

Mrs Dombrowsky: You were invited by whom?

Mr Angus: By the government of Ontario.

Mrs Dombrowsky: By what office?

Mr Angus: By the minister.

Mrs Dombrowsky: By the Minister of—

Mr Angus: Tourism.

Mrs Dombrowsky: So he personally contacted you and indicated—

Mr Angus: His staff did.

Mrs Dombrowsky: It's important, I think, because this is a matter of public record. I think it's important for the people of Ontario to understand how individuals who consider their interests on such corporations arrive there and that really it is a position that should be open to any Ontarian because it does consider the interests of all Ontarians. Given that you are from Ottawa, it's curious that you would want to participate in a corporation that focuses its attention on a facility that is located in Toronto, although I certainly I appreciate the provincial nature of—

Mr Angus: I think you've hit the nail on the head. Even though I'm from Ottawa, it's a provincial organization. Even having lived in Thunder Bay, as I indicated, I was still sort of involved in it in terms of the northern community. So I don't see it necessarily as that I'm from one jurisdiction or another. I see that I can bring some perspective from other regions to something that I believe since 1971 is a pretty valued part of this province.

Mrs Dombrowsky: I think that's valid. I come from another part of the province but have visited the park with my family on many occasions. I'm just curious—you've indicated that over the years you have had some particular experiences with Ontario Place—if you would explain for the committee in what capacity or how you had occasion to be involved in those ventures or initiatives.

Mr Angus: It's been through, as I say, Ontario North Now. Having been a resident in Thunder Bay, I was very interested in that in terms of the development and promotion of the north. As a teacher, I actually saw it as an opportunity to promote an important region in the province—I think it's a fairly major corporation—to finding opportunities for people I've worked with over the years to engage and help participate in what I think is a growing business.

Mrs Dombrowsky: Is it safe to assume that it was when you were with the Office of the Prime Minister of Canada that, for example, you were involved with the

opening of the Molson Amphitheatre and the venture with Benson and Hedges?

Mr Angus: No. When I was involved with the Prime Minister's office, I had no real engagement with Ontario Place at all. It's been through private activity.

Mrs Dombrowsky: I see. I do appreciate that.

You may comment on the presentation that has been made by various individuals and some members of this government that Ontario Place should be privatized totally.

Mr Angus: Whether it's held in public trust, and it currently is—it's always a challenge between finding the balance of public support for an institution that does, obviously, hold the name of the province. I see an opportunity to find new partnerships and new relationships with people in the private sector to make it a very strong, viable tourism attraction.

Mrs Dombrowsky: Is that a yes?

Mr Angus: Yes. Not yes to privatization, but yes to some of the things I'm talking about.

Mrs Dombrowsky: So it's not yes to total privatization?

Mr Angus: No. Obviously, that's a decision of the government that as board members we'd have to discuss. Obviously, I'm not prepared at this time to make a yes or no to that specific question.

Mrs Dombrowsky: You're absolutely right that it is a decision of the government. I'm sure, however, that members of the government, people at the ministry and the minister's staff would probably consult with people on the board as to whether or not they would be inclined or open to the consideration of the privatization of the park. So I think it's important that the people of Ontario might understand today if you would have a particular inclination or leaning on that particular topic.

Mr Angus: I don't think it would be fair for me at this point to make any decision one way or the other. I haven't been privy to any of the financials of the organization. I've been privy, obviously, to some of its activities, but I find myself today not in any position to make any judgment one way or the other. I think I accepted the responsibility of being on the board—with the permission, maybe, of this committee—that we try to make the thing grow, be viable and not necessarily have to have all that discussion around whether it should or shouldn't be privatized.

The Chair: Mr Gravelle.

Mr Michael Gravelle (Thunder Bay-Superior North): I have a number of questions. One thing that's very clear from your resumé is that you were quite proudly associated with the Progressive Conservative Party, in a variety of aspects, from a very young age. I presume that would mean you are still fairly well connected now to the party. Would that be the case?

Mr Angus: When Sheila Copps asked me to help out with the Haida program—I'd like to think that I have more of a public persona than just simply what party—

Mr Gravelle: The reason I'm asking that—and I'm certainly not meaning it to be rude in any way at all,

other than the fact that I think with that kind of connection, you would have some insight as to the direction the government is going. Obviously you've had very good connections from a young age, and that carries on. So that leads me to follow up a little bit more on the whole sense of what direction the government is taking. A member of our committee, Mr Wood, has made some comments about this previously, in terms of privatizing Ontario Place. I guess I'm wondering whether you have discussed this with people inside the party and the government related to the direction the government is going to take.

1020

Mr Angus: No. To this point I really haven't.

Mr Gravelle: But you do strongly believe there should continue to be some public support for this?

Mr Angus: Whether it's held in the public trust and the board members continue to be appointed by the crown or some ongoing attachment to the people of Ontario, I think that continues to be somewhat important. But I think it should continue to become a viable, sustainable operation and not necessarily dwell on the public purse. I would be surprised if—

Mr Gravelle: I'm a little confused, though. I'm trying to get a real sense of it. Are you saying that you would oppose full privatization?

Mr Angus: I think I said that I'm not—at this point I haven't had any real understanding of the books, what the circumstances are to understand. I know its history but I don't find that I'm in a position one way or the other to comment as to what its future should be, other than to try to continue to make it viable.

Mr Gravelle: Yes. There has been a decline in the number of people that have been going to Ontario Place, and there may be a number of reasons for that, but that would have some impact on the subsidy as well. What are your thoughts in terms of the decline in attendance? Obviously there have been some attractions such as the Molson Amphitheatre, which is pretty wonderful, I must admit. I think it's great. But what impact do you think that decline has in terms of the government's decision?

Mr Angus: There's obviously been a change and I don't know what the view of the current cabinet, current minister, current Premier, current caucus would be with regard to that, but I think I've indicated that I do believe there are some challenges that face Ontario Place. There are challenges that face any crown operation in terms of its sustainability and viability. When there are other public pressures, I think it's incumbent on that organization, and I hope to participate, to make it viable, to seek new partnerships and ways and means to grow the attendance, whether it be through some of the educational programs that have started, new partnerships with other sports and entertainment organizations or whatever.

Mr Gravelle: Would you lobby, then, when you're in the advisory position that you'll be in, for continual support from the province? Is that a position that you would be taking?

Mr Angus: For one thing, I've never sat at the board table. At this point the chairman has never asked me to take on a role, whether it would be, as you say, lobbying or whatever, to either protect it in terms of its ongoing funding or not. I think that I've been asked because of my background and, frankly, my interest to participate, and those are decisions that we'll have to deal with on an ongoing basis.

Mr Gravelle: Mr Chairman, do I have a little time left?

The Chair: You have one minute.

Mr Gravelle: I want to ask you about why you left Thunder Bay. You felt migration's a huge problem in the north and you sound like you still love the north—

Mr Angus: If you'll give me a 30-second response, I really haven't. We still work with the university, we still work with Thunder Bay Hydro, we still work with some other organizations in the city of Thunder Bay.

Mr Gravelle: Yes, I'm aware of that, actually, but we always want to keep our people there.

Tell me, there are a lot of Angus families in Thunder Bay. Which Angus family are you from?

Mr Angus: I'm from the Angus family that was connected to the university that has also left the community.

Mr Gravelle: Would that be Jim Angus, then?

Mr Angus: Yes.

Mr Gravelle: Yes. Great guy. Thanks very much.

Mr Angus: Thank you.

The Chair: We now go to the third party.

Mr Tony Martin (Sault Ste Marie): I'm interested as well in why you would have responded to the minister's or his staff's invite to join this board. What would they have said to you, given that you're obviously a fairly busy guy out there working in your own business? What was it that they wanted you to bring, what was it that they wanted you to do and what is it that you think you yourself can do on this board?

Mr Angus: I've addressed some of those issues. I'd like to think that in my family life I've been successful and in my business life I've been successful and it's time to put back into the community, whether, as I said, it's the hospitals, museums or other things that I've been involved in. I'd like to think that I've worked with a number of organizations that have been in similar circumstances to those of Ontario Place that are looking for partnerships or looking for creative ways to raise profile and I would hope it would be a recognition and an understanding of that in my background that brought me here today.

Mr Martin: But nothing specific. You didn't, in your conversation with the minister's staff, talk about what particularly and specifically you might be able to do that would improve the lot of Ontario Place or contribute in some positive way?

Mr Angus: I think I've indicated I've got some ideas, whether it be season extension or different partners that can be brought in. There are all sorts of people in the sports-entertainment facilities looking for new partners, as was the Molson Amphitheatre, and I hope that over

time maybe we can bring some of those thoughts and ideas to the board.

Mr Martin: As director and owner of Strategic Relationship Sources, who are your major contracts with?

Mr Angus: Primarily the federal government. They're going through a complete rethink of how they buy information technology services. That organization has had a number of engagements with the federal government; in fact, there have been several departments that have actually looked to that organization to restructure their procurement.

Mr Martin: Who are your contracts with under Communications Strategy?

Mr Angus: Again, that company is headquartered in Montreal and primarily does a fair amount of work with the government of Canada and private sector organizations.

Mr Martin: So you seem to be fairly well attached to government and its sources of money for the work that you do, and have been actually for quite some time, if I look at your resumé here.

Mr Angus: I think we have a good understanding of public policy and public policy process issues.

Mr Martin: But you've not worked in anything much other than that, except for a year back in 1976-77 when you taught school up in Thunder Bay. Is that correct?

Mr Angus: Yes. Most of my adult life has been in the public sector, either working with it or making representations to it.

Mr Martin: And this is sort of an extension of that, a continuation of that?

Mr Angus: I think to some degree, whether it's, as I said, a hospital or a museum or Ontario Place, that I do have an understanding of what it takes to promote the private sector. In my public affairs life we don't do government work unless it has been charity, or on a non-fee basis.

Mr Martin: Is there any kind of remuneration that comes with this appointment?

Mr Angus: To be quite truthful with you, I'm not sure. I didn't take it for fees; I took it because I think that it's a way for me to contribute back into the community, which I said earlier.

Mr Martin: Mr Chair, could I ask the legislative researcher if he knows if there's any remuneration that goes with this appointment?

Mr Andrew McNaught: I don't know.

The Chair: We don't offhand, but we will be able to obtain that information fairly quickly.

Mr Angus: Maybe you could let me know.

Mr Martin: OK. Actually, that's probably about all the questions I have. Thank you very much.

The Chair: Thank you very much for being with the committee.

My Conservative friends here—when you're in the chair, of course, you're totally neutral. My friends would know. But I notice the Hunt Club and the Albany Club were both mentioned in there. We plebeians can only dream of entering the hallowed halls of the Albany Club

and the Hunt Club, and Mr Angus is a member. I admire him.

Mr Angus: Maybe I should point out to the honourable member that I did spend one year residing in the city of St Catharines as well.

The Chair: Thank you very much, sir, for being with us today.

Mr Angus: Thank you. I'd like to add Ontario Place to that list too, by the way.

1030

BRENDA NOBLE

Review of intended appointment, selected by official opposition party: Brenda Noble, intended appointee as member, Council of the College of Nurses of Ontario.

The Chair: We move now to our next intended appointee, who is Brenda Noble, intended appointee as member, Council of the College of Nurses of Ontario. You may come forward, Ms Noble. As I know you'd be aware, you have an opportunity to make an initial statement, should you see fit, and then the members of the committee will have an opportunity to ask you questions. We'll be commencing with the official opposition in this particular case. Welcome to the committee.

Mrs Brenda Noble: Thank you for allowing me the opportunity to appear before you today. With the exception of two years, I have lived in Ontario for my entire life and have experienced first hand the evolution of health care in this province. It is my understanding that I would sit on this college as an ordinary citizen who can bring the insight, concerns and experiences of regular, everyday people to the table.

I am married. I have two grown children and have lived in Kitchener for 41 years. When my children were young, I stayed at home and got involved in volunteer work. My family has always been involved in volunteer work. My parents raised me to believe that contributing to your community was a duty, and I have tried to fulfil that duty throughout my life.

My biggest contribution has been to the Girl Guides of Canada. This is an organization I first joined as a seven-year-old, and I will be forever grateful for the things that it gave to me. When I became an adult, I was anxious to give something back to Girl Guides. As a volunteer, I was privileged to spend 18 years working with young girls, teaching them leadership and life skills and to appreciate our natural environment, and watching them grow into responsible adults.

I have also volunteered in a small way with the local Boy Scouts, the Federated Appeal of Kitchener—now the United Way—the Kiwanis of Twin Cities and at St Mary's hospital on the geriatric ward.

I have been a lifelong political volunteer. As a young woman, my father gave me the constitutions of the three major parties and said I must choose one. He said I couldn't complain about the government if I didn't get involved, so I did. As a member of the Conservative Party, I have participated in many campaigns, municip-

ally, provincially and federally, and have been a riding president. I have worked as a constituency assistant for an MP and an MPP, where I had to deal with a wide variety of public concerns and individual interests. In this capacity, I developed skills that I believe will be assets to the College of Nurses: sound judgment, the ability to manage complex issues and good interpersonal skills.

When I decided to retire from full-time employment, I was interested in finding some small way of continuing to serve my community. I expressed this interest to the Public Appointments Secretariat. I got a call in March of this year from a staff member at the Ministry of Health asking me whether I would be interested in sitting on the College of Nurses. As someone who has an interest in health care, I indicated I would be pleased to do this.

While I have some small knowledge of the workings of the College of Nurses, I don't pretend to be an expert. I have read some material sent to me outlining its function. I wish to assure you that I will learn all I can and I will make sure, if appointed, that the time I spend on the council will be productive. I will bring the practical experience of a senior reliant on quality health care and of a mother who has raised two children and who knows the value of a skilled professional nurse.

I believe that nurses are the cornerstone of our health care system. I hope that by being a member of the college, I can help ensure the continued quality of the nursing profession.

The Chair: We commence our questions with the official opposition.

Mr Gravelle: I think your work for the last five or seven years for Mr Wettlaufer and Mrs Elliott, particularly at the constituency level, does give you an interesting insight and I'm curious to follow that up from the point of view of some of the restructuring process that has taken place in our province. Obviously one of the things that happened, particularly just after the beginning of the Conservatives' victory in 1995, was a restructuring process where there was a cutback in funding to hospitals, and nurses were laid off. Then there was a re-thinking of that position and more money was put into the system.

From your perspective in terms of what you heard at the constituency level, what did you learn? I appreciate your comments about the nurses being the cornerstone and I sure agree with that too. I think they are vital and I think there have been some real morale problems with them. But from that, did you, at your constituency office level, get a lot of reaction to what was going on then, and how did you respond at that time on behalf of the member?

Mrs Noble: The reaction was varied. I didn't presume to answer for him; Mr Wettlaufer was always very good about answering his constituents and was usually always available to us to give them answers. So that was the route we took in our office. We gave his answers.

Mr Gravelle: Were there a lot of concerns expressed, though, at the constituency level? Certainly, there were in my office. We heard a great deal about that.

Mrs Noble: As I said, they were varied. We had some good and some not so good, and you just handled both as they came in. I would have said that those for the good probably exceeded those for the less good.

Mr Gravelle: There's certainly no question in my mind, and I'm sure you agree, that almost everyone agrees that nurses play such an extraordinarily important role in the health care system—not just in the hospital system but obviously very much there. We certainly have a need for greater support. The fact that more nurses are being put into part-time positions, that more nurses are of an age where they're closer to retirement as opposed to new nurses coming into the system, really discourages us. I'm curious, presuming your appointment does go through, what position you'll take in that regard in terms of the college.

One of the points that has been made by the Ontario Nurses' Association is that the public members need to be more tuned in to the system. Do you feel that, because of your experience and because of your background, to some degree you will be more tuned in to what is crucial in terms of nursing in the province?

Mrs Noble: Yes. I have several friends who are emergency nurses in the hospital, and I spoke to them before coming here to ask them what they thought about my even coming here, and they were quite pleased. They felt that there should be someone in the level—and actually, these were both Girl Guides as well, that type of background. They felt I would be fair, that I would look at things very carefully.

In a constituency office, as you know, you're non-partisan. You have to be. You get all kinds from all walks of life and you cannot be political at all. I feel that would be the same way I would handle anything on the board. I would just have to look very carefully at everything.

Mrs Dombrowsky: Good morning, Mrs Noble. Thank you very much for coming. If you received the background that we received—I presume that you did—you are aware of the HPRAC report, the Health Professions Regulatory Advisory Council. So you are aware of that report very clearly indicating there could be problems with members who sit on the college who don't have a science background.

You've indicated that you have come to the role, you're considering the role, as a regular, everyday person on the committee. You've indicated that you've contacted friends who would see you as a fair and unbiased person. While I think that has some value, I am concerned because it has been indicated by the Ontario Nurses' Association that we are talking about a regulatory college that considers situations and issues of a scientific nature. We are in the province in the year 2005, you are aware, going to require our practising nurses to have more qualifications.

Obviously, it's a field where there are significant advances. So I would suggest that members on the college should also be required to have some understanding and knowledge of the levels that are required to be a nurse and so on. The Ontario Nurses' Association recommends that more extensive orientation, training and edu-

cation be developed for public members, and that would be you. You indicated that you would be prepared to do whatever you had to do. Are you prepared to be in-serviced in that way? It's not just reading a few pamphlets or documents; I would suggest it might include some schooling.

1040

Mrs Noble: You are saying "schooling." It was my understanding that they wanted people who were not professionals or in the medical profession, that they wanted outside ideas and concerns rather than strictly professional nurses. I understand they have quite a few on the council as it is.

Mrs Dombrowsky: When you say "they," you mean the members of the government who appoint the members to the college. That's what they are looking for. That's who you refer to when you say "they."

Mrs Noble: Yes.

Mrs Dombrowsky: I agree that was the intention, but what the HPRAC report has highlighted is that some of that membership can be problematic in terms of the college actually fulfilling its mandate. The Ontario Nurses' Association, made up of people who are regulated by the college, is suggesting that even the public members should have some in-service to understand the requirements of nurses in their role so they can perhaps make better-informed decisions at the college level. My question to you again would be, would you be prepared to make that kind of commitment to in-service and education programs that would assist in that way?

Mrs Noble: I'm always willing to learn and to take whatever courses are necessary to be part of something or other. I'd have to wait to see exactly what the college decides or what the nursing association decides to do. I can't really answer that up front and say yes, definitely, because I have no idea what it would entail. I'd prefer to see what you're talking about with them, just exactly what the nursing profession has in mind.

Mrs Dombrowsky: I'm talking about what the Ontario Nurses' Association is recommending.

Mrs Noble: I would prefer to see exactly what they had in mind, what their intention is. Would they want this now? Would they want someone to go back to school? I have no idea what it would be leading to.

Mrs Dombrowsky: Can you appreciate the argument they're making, though?

Mrs Noble: I can appreciate it; yes, I can.

Mr Gravelle: Could I ask you one more question, Mrs Noble? Your resumé indicates that you are presently still working for Mrs Elliott. Is that the case?

Mrs Noble: Yes.

Mr Gravelle: Do you think it's appropriate for you to be working for a member of the government who is also now a minister and sitting on this position?

Mrs Noble: No.

Mr Gravelle: You don't think it is appropriate?

Mrs Noble: No, and I will resign.

Mr Gravelle: Oh, you will?

Mrs Noble: Definitely.

Mr Gravelle: That's what I wanted to clarify.

Mrs Noble: I only work one day a week.

The Chair: We now move to Mr Martin.

Mr Martin: Thanks for coming this morning. The first question I have is around your interest in this appointment. What is it that you think you bring specifically that connects to some of the challenges that face nursing in the province at the moment?

Mrs Noble: I can only bring my personal experience with nurses. I have a child who is a cancer survivor and I myself am a heart attack survivor. I spent a year in the hospital after a very serious car accident. Those were my personal experiences with a nursing career. I appreciated every moment that I was there. I hope I can bring the skills that I've learned in my lifetime through Girl Guides and other volunteer work and from my personal life. I think I'm fair and honest and I think that will help me.

Mr Martin: Those are certainly good things to be bringing to a board of this sort. What's your understanding of how a self-governing health profession college works? What is its role in your estimation and understanding?

Mrs Noble: I understand that they administer the professionalism of the nursing association. They're self-governing, as you said, and the college looks to their integrity to make sure that it's intact always. The two friends I had who were telling me about the College of Nurses said that they really appreciated having the college there because it kept them professional.

Mr Martin: Are you indicating by that that there's a problem in terms of the professional conduct or standards?

Mrs Noble: No, but we're all human, and sometimes you need someone there to guide you.

Mr Martin: Can you give me some examples of things that might be a problem or a concern where nursing and nurses are concerned?

Mrs Noble: Well, I've read a few things but I really couldn't comment on them because I don't know enough about them. I'm sure that, like everything, they've had their small problems and they've needed help along the way.

Mr Martin: What are the biggest challenges right now, in your mind, facing nursing?

Mrs Noble: Nurses?

Mr Martin: Yes.

Mrs Noble: Probably getting more nurses. I would think that would be a big challenge. I hope that part of the college work will be finding out why we're not interesting young people.

Mr Martin: Do you have any thoughts or ideas on why we're not?

Mrs Noble: No, I don't. I haven't delved into it enough or done enough research, but it would interest me to find out.

Mr Martin: What are your friends saying to you about that?

Mrs Noble: They are in their fifties, so they're rather concerned as well.

Mr Martin: How are they finding nursing at this time? What are the issues they see?

Mrs Noble: One is, as I said, in emergency, and she loves it, actually. I've never heard anything negative from her. She's quite happy in what she's doing.

Mr Martin: OK. Those are probably all the questions I have. Thank you.

The Chair: Thank you very much, Mr Martin. We go to the governing party. Do you have any questions?

Mr Wood: We'll waive our time.

The Chair: Thank you very much, Ms Noble. You may step down.

In answer to the question that Mr Martin directed to the committee regarding the Ontario Place board of directors, the chair's per diem is \$140, vice-chair \$120 a day, and regular members \$105 a day. One would presume, I think, that there would be expenses. In case you were worried that Mr Angus would have to incur expenses flying in from Ottawa for the meetings, I would think committees would have routine expenses of those kinds. So that's the answer to your question.

JOSEPH DE MORA

Review of intended appointment, selected by official opposition and third party: Joseph de Mora, intended appointee as member, Cancer Care Ontario.

The Chair: We'll move to the next individual, Joseph A. de Mora, intended appointee as member, Cancer Care Ontario. Mr de Mora, you may come forward. As you are aware, you have the opportunity to make an initial statement to the committee and then there will be questions directed to you by members of the committee if they have any, and they usually do, in my experience. Welcome to the committee, sir.

Mr Joseph de Mora: Thank you, Mr Chair. First let me say that I feel honoured to be here to be considered for appointment to the board of Cancer Care Ontario. I've worked in health care for about 30 years, so I intended to give you just a little bit of background on me personally and perhaps a few words on why I think I would enjoy having this opportunity to serve.

I grew up in a military family. My father was in the Canadian military, so we travelled a fair bit and, as it happened, most of my schooling was in Europe. I came back to go to university in Montreal and do a graduate degree in Alberta.

I've worked for the last 30 years or so exclusively in health care, with experience in a number of different places. I started in Hamilton, working with the medical centre. I moved from there to the Toronto Western Hospital and held a series of positions until I was offered a position as executive director in a psychiatric hospital in the Maritimes. My responsibility there, as appointed by the government, was to convert that institution from a public institution under government to one with a board, and to go through the process of accreditation and affiliation.

Following that, I was in Kingston. I spent five years in the early 1980s in Kingston in a vice-president position and left there to become, again, the CEO of a hospital in Kitchener. I was the president of the Kitchener-Waterloo hospital.

1050

While I was there and enjoying it and I think having a productive time, I was recruited to start work internationally, and I then spent the next 10 years working internationally, first in Karachi, Pakistan, working with the Aga Khan organization, and then later in Nairobi, Africa, responsible for both acute care hospitals and community health clinics and for advising the Aga Khan, his council and board on policy with respect to health care through Karachi. I worked with the Aga Khan for seven years, came back, and worked then in eastern Europe. Finally, before coming back to Canada, I worked for a venture capital company in private sector health care in the Far East for a year and a half.

I came back almost five years ago now to be responsible for the restructuring of the three hospitals in Sudbury. I was the first CEO of the new regional corporation there, Hôpital régional de Sudbury Regional Hospital, and my job there was to bring the institutions together and to initiate a construction program for a new hospital.

I was there for three years and then moved to my current position as president and CEO of Kingston General Hospital. In that position, I am again responsible for looking at restructuring, and also for the development of a new building program there.

I should say that in virtually all of those positions, including those abroad, I was involved in the delivery of care to cancer patients, and it was that which primarily motivated me to be interested in this particular appointment. I feel very strongly that there is a need for services for cancer patients and that those services are integrated within the health care facilities that exist. I believe we have a lot of work to do in this area and that perhaps my experience in this country and others might be of some assistance in helping sort through some of the decisions that have to be taken as we go forward in this in the next little while.

The Chair: Thank you very much, sir. We commence our questions this time with the third party.

Mr Martin: You are obviously a very busy person and, if appointed to this board, will become even more busy. I don't think there is anybody who lives in Ontario today and who has either been affected by or has been reading reports on the issue of cancer and cancer care needs who doesn't understand that there's quite a challenge. Why would you want that position, given everything else you are doing and the busyness of your life?

Mr de Mora: I think, sir, for a number of reasons. First of all, we are a host hospital for the Kingston Regional Cancer Centre now, so in my current role I am responsible for helping to deliver cancer care for inpatients. The issues that patients bring to me and to the

board are significant in terms of my involvement at the present time.

I've always believed that, as the CEO of a hospital, one has an obligation to look beyond the operational responsibilities and to look at policy development. I believe the development of policy in cancer in Ontario is important, and therefore, both from the point of view of it affecting us directly and in some way helping to form the policy, it's a worthwhile investment of time.

Mr Martin: You don't see, given the very competitive nature of the province now in terms of different regions needing resources and having to go to the public purse for that, that you might be in a bit of a conflict there at all?

Mr de Mora: No, I don't believe I would be in conflict there. The decisions on resource allocation are primarily those of the ministry at the moment, and, as I understand it, the direction that we will be following in cancer care, at least the direction that is going to be considered, is one similar to that which exists now for some of the other priority programs in the province with cardiac care and so forth. Those allocation decisions really are made based on need, based on volume, based on cost, and are decisions that are made on evidence based on need at the Ministry of Health level.

Mr Martin: Given your recent experience in Sudbury and the very troubling and huge debate and struggle that happened over the perceived, and I think real, inequity in terms of the level of care provided to cancer patients in southern Ontario going to Thunder Bay or out of province and the care that the resource provided to northern patients who had to travel, does that not indicate to you that there is a bit of a problem out there in terms of where money is allocated, how it's allocated and who gets it, and would that in any way speak to perhaps a conflict of any sort now that you're in Kingston? Actually, the second part of that question is, what was your position on that when you were in Sudbury?

Mr de Mora: Let me speak first to the first question. I believe you put your finger on probably the most significant problem in Canada, not just Ontario. The whole issue of access to health care is now under debate, and considerable attention is being paid by federal—Senator Kirby in Ottawa—and various provincial groups as well.

The whole concept of the Canadian health care system and access really has to be defined, because clearly across the country there are significant issues with respect to access, depending on where those populations exist. That's also true in this province. I don't believe it's only in the north; I believe we also have some work to do in rural populations in terms of how we provide access to services. I do think, though, that we have to define what that access means, and there is certainly a high expectation by our public in terms of how readily available services are.

I don't believe that my position, moving from Sudbury to Kingston, puts me in conflict. The eastern part of the province as well as the western part of the province has issues of access, and certainly I don't believe my view on access has changed at all. I believe it's one of the most

important things we have to resolve. So I don't believe I'm in conflict in that way.

In terms of my own personal view, I was there when that issue was initiated with Mr Loughheed, and again I think it's a very significant problem in the province as a whole as well as in the country. I think the issues are different, though. My understanding is that the two programs are different. One was initiated primarily for re-referral of patients, which is a significant problem. The other was initiated at a different time in order to provide access to northerners.

In resolving that problem we have to be very careful. I think it opens up the issues of patients not just in the north but elsewhere in terms of what provisions should be made for travel and accommodation for those travelling from Haliburton to Peterborough or from Renfrew to Ottawa and so forth. I think it's a systemic problem. I did agree with the changes that were made to increase the travel grant for northerners in particular, because I believe they do have more significant issues with respect to distance, particularly in winter, and I understand that continues to be reviewed.

Mr Martin: Suffice it to say, adding to what you just said about distance and weather and geography, that we don't have the variety of offerings either. If you are in Peterborough, you can go to Ottawa or you can go to Toronto, and you have your own hospital. If you're in Sault Ste Marie, you really have Sudbury. As you know, that's three hours away on a good day. There are some significant difficulties there. We were promised a bunker in the Soo, probably when you were in Sudbury, and we still don't have it.

How are we going to resolve these issues? What are you going to bring to the table by way of advice or ideas that will resolve some of this? I was talking to our head oncologist on Sunday at the airport, flying back to the Soo, and listened to him and Dr Spadafora at a big fundraising function in the Soo a week ago. They're exhausted, and they don't have the resources, they don't have the equipment to relieve any of that exhaustion. What are we going to do?

Mr de Mora: That's a good question, and again I believe that question is now being asked through much of Canada and is primarily the subject of review by Mr Romanow and Senator Kirby and others. I'm not certain there are enough resources to satisfy health demand in Canada at the moment, and I'm not quite clear what we're going to do about it.

On a specific basis, in terms of access to services in this province, there's been a fairly rapid escalation in the cost of provision of those services and, I think, a demand that is concurrent with the rise of the need for new facilities.

1100

I guess what I can bring to the debate and to the issue is somewhere close to 30 years of having to make those kinds of decisions and trying to find ways of meeting demand with the resources that are available and by mustering arguments that more often than not, I believe,

have been successful in getting new resources. I don't believe it's just an issue of money, though. As you pointed out, there's an issue of manpower, and that's a lot more difficult to resolve over time. I think some of the steps that have been taken in this province and others to increase medical school enrolment, and hopefully at some point to look at finding ways to retain and attract new nursing people in the province, are where we need to go. So we have to find ways of doing that.

Mr Martin: I would suggest that another answer might be to expedite the recognition of foreign-trained doctors. We've got thousands of them, from what I'm told; I've been researching this because we have a need in the Soo big time. They're out there driving taxicabs and doing all kinds of things other than practising in the profession for which they've been trained. We're not talking trained in exotic places; we're talking trained in Britain, for example.

I just wanted to maybe get a little bit more personal for a second. Sudbury at the moment is under review in terms of its budget. I believe activity was stopped on the building of the new hospital because of overruns in budget. Did you have any hand in that before you left?

Mr de Mora: I accept responsibility for everything I did when I was there. I left there around 18 to 20 months ago. At the time I was there, we had a deficit. Actually, when I went there we had a deficit and we were able to attract some new and additional funding. The bottom line is that restructuring is expensive, and I think experience has shown over time that additional resources have to go in. I'm not current with the information now, but I believe they've taken some steps in recent times to look at what can be done to reduce costs. But there are costs attached to bringing three hospitals together, especially if those hospitals were rather small at the time and have now moved to one corporation.

In terms of the building program, I'm not aware of its current situation. When I was there, it was in its early phases and the cost estimates were different than they are now.

Mr Martin: Just to maybe cut you some slack and to invite some comment, I know from the information you gave us in your resumé that the Sudbury hospital, the new one, is trying to run an operation of 700 beds with a budget of \$170 million, whereas Kingston is, I would say, probably a little bit more comfortably running a hospital of some 450 beds with a much larger budget of \$186 million. Why that very serious discrepancy, do you think?

Mr de Mora: First of all, you have to take into account what Sudbury is actually spending, and I think you'll find it's more than that. Second, I think you'll find there are differences in the kinds of services that are provided. On one hand, Kingston is a teaching facility, so there are additional costs attached to the training of students and the conducting of research. Also Kingston has probably been more fortunate than Sudbury has in being able to attract people and has been able to expand some of its programs in different ways.

You should also know that the actual number of beds in an institution is really no longer reflective of the scope of operation of an institution. There is certainly a large movement these days toward looking at ways of providing care in other settings—I don't mean just home care but within the institution itself and day procedures and so forth. So it doesn't always give the same picture as the number of beds. But I would agree that there is a difference between the two, as there is between many hospitals in this province and others.

The Chair: That concludes your questions, just when you're—

Mr Martin: Just getting into it.

The Chair: I know. It always ruins it. We go to the government caucus.

Mr Wood: We'll waive our time.

The Chair: The government has waived its time. We now go to the official opposition.

Mrs Dombrowsky: Good morning, Mr de Mora. So many questions and so little time. First of all, I'd like to inquire: you are the CEO of Kingston General Hospital. Will you continue in that role should you be appointed to Cancer Care Ontario?

Mr de Mora: It would be my intention to do so, yes.

Mrs Dombrowsky: When you left the hospital in Sudbury, was there a deficit and, if so, what was the amount?

Mr de Mora: There was a deficit, and as I recall it was in the order of magnitude of \$14 million, thereabouts.

Mrs Dombrowsky: Is there a deficit at Kingston General Hospital?

Mr de Mora: There was a deficit last year somewhere in the range of \$8 million to \$9 million.

Mrs Dombrowsky: Was there a capital deficit in Sudbury when you left?

Mr de Mora: I believe there was a small one when I left.

Mrs Dombrowsky: Is there a capital deficit in Kingston?

Mr de Mora: Not at the moment.

Mrs Dombrowsky: Do you anticipate there might be?

Mr de Mora: It's hard to say. The billing program hasn't begun yet, and I'm not certain what the final allocations will be.

Mrs Dombrowsky: You indicated that with your 30 years of experience you have found ways of meeting demands with the available resources—these are your words I copied. How do you intend to capture that deficit in Kingston where you are right now?

Mr de Mora: I think there are several ways. There are a number of things that are taking place now, looking at ways we can improve the efficiency of service within the institution. That primarily means how can we get patients care faster—how do we make certain that once they are admitted, their surgery or other procedures occur more quickly in their stay, and how can we bring all the systems of the hospital together to make sure that X-rays are provided on the file faster than they were before—

and when patients are ready to be discharged that they are able to be discharged without delay, those sorts of things, and frankly also in looking at the resource base and seeing whether there's a legitimate argument for additional resources.

Mrs Dombrowsky: That would suggest the system would be underfunded at the present time.

Mr de Mora: That would suggest that in our case I believe we have a case to be made for additional resources.

Mrs Dombrowsky: You say it your way; I'll say it my way.

Are you aware that it was revealed last week that the government has paid over \$60 million in taxpayers' money to private, for-profit companies for health care facility services in the province of Ontario? These are for-profit companies that trade on the stock exchange in Toronto.

Mr de Mora: I believe this province has had for-profit health care companies for several decades. I can think of one or two that have been around for some considerable time. I'm not certain of the magnitude.

Mrs Dombrowsky: But were you aware that \$60 million in taxpayers' money has been directed to those for-profit companies?

Mr de Mora: Actually, I thought it was higher than that. If you take into account Extendicare and a few other companies, I think you'll find it might be even higher than that. I'm not sure of the ones that were covered in that study, so I can't really comment.

Mrs Dombrowsky: I can give you some names if you'd be interested, but I guess the point of my question is, when we have a public health care system in Ontario that is underfunded and yet we have a government that is directing taxpayer money to private, for-profit companies, I'd like to understand what role you might have as the chief executive officer in a public institution to lobby for more money for the services that you must provide within your community.

Mr de Mora: First let me say that I think the two are different. This province and others have had a tradition for a long time of looking at the provision of some services by private companies—for a long time. I believe that is likely to continue. I think there's a difference, though, between private delivery and public funding. In most cases—in virtually all the cases that I'm aware of in this province—the public funding system is still the system that's used to fund those companies, and therefore they have to abide by the same kinds of terms and conditions and standards and so forth that others do.

The issue in terms of competition, I think, is one that has to be considered carefully, because these days public sector institutions are in competition not only with the private sector but with other public sector organizations. Health is almost always in competition with education and both with the environment. So the whole notion of allocation of resources is a difficult one and, as you know, it's one that is currently under debate federally and within a number of the provinces.

I'm not certain how it's going to be resolved, frankly. I do think we need to find some solutions that go beyond just money to resolve the issues, but I'm not clear yet where that will go.

1110

Mrs Dombrowsky: How much time do we have left, Mr Chair? I know Mr Gravelle has some questions.

The Chair: You have until 11:17.

Mr Gravelle: I want to return, if I may, to the issue of the re-referral program and the northern health travel grant. I'm sure you are aware that all the northern members were fighting very vigorously for equal treatment for northerners in terms of travel. It is something that we've been doing for some time—certainly in Sudbury, led by Rick Bartolucci, and working very much with Gerry Lougheed. I'm curious as to what your position was at the time this was out there. Were you supportive of that campaign for equal treatment when that re-referral program was put in place?

Of course, what offended us so incredibly was the fact that—and I'll use Thunder Bay as an example—we had people sitting in the Northwestern Ontario Regional Cancer Centre beside people from southern Ontario who were receiving 100% of their funding. They were getting their airfare paid for, their hotels, their accommodation and meals and everything else. It was certainly something that upset us. In fact, the Ombudsman, Clare Lewis, declared that this was discriminatory. I'm curious as to what your position was, because you were in Sudbury at the time. What was your position on that? Did you take a position publicly?

Mr de Mora: As I indicated before, I was then and am still concerned about issues of access. I did believe, though, as I do now, that the two parameters are different, that the issues that relate to re-referral involve people going to different countries, and that incurred additional costs. I did believe, and it subsequently occurred, that there should have been a change in the northern grant in order to allow costs to be covered both for a return trip and for higher mileage.

I don't think it's as simple as trying to compare, though, the northern grant with the re-referral program. I think it does raise the whole issue of what costs should be covered by the public purse when patients have to travel a distance for care. I think you have to look at under what circumstances that should occur and find ways to deal with it.

I think the northern population, as I say, has significant access issues and it's true that patients from the northern part of the province incur a considerable expense to get to Sudbury. I was pleased, therefore, when some of those changes were made to the mileage program. But I don't think it's as simple as comparing those two programs.

Mr Gravelle: Did you take a position on this at the time? Certainly, it was clearly discriminatory in terms of what happened. It wasn't just people going to Thunder Bay or Sudbury; it was people having to go down to Toronto themselves and not having accommodation paid.

I think we were successful to some degree in getting the government to increase the northern health travel grant, but it still doesn't deal with hotel and food. I'm just curious as to your position at the time.

Mr de Mora: It's my understanding that at the same time, patients who had to travel to Toronto from other parts of the province not in the north were also in the same situation. As it happened, I was just in the process of leaving at the time that occurred so I really didn't get a chance to comment publicly at the time. Had I, I would probably have said what I've just said.

Mrs Dombrowsky: If I could just follow with one more question?

The Chair: Yes, you can.

Mrs Dombrowsky: Mr de Mora, you've indicated that the deficit at KGH is between \$5 million and \$6 million.

Mr de Mora: It was \$8 million to \$9 million last year.

Mrs Dombrowsky: What about this year?

Mr de Mora: It's not certain yet. The funding announcements haven't been made yet.

Mrs Dombrowsky: Would you be able to explain why in the Kingston Whig-Standard it's reported that the deficit is \$19 million?

Mr de Mora: I would. The \$19 million relates to the current year, and that's a projection based on an assumption of no additional revenue. We haven't yet been told what the revenue is, so that projection is based on the assumption that there will be no additional revenue. I think that's unlikely.

Mrs Dombrowsky: So your projection of \$8 million to \$9 million is that there is going to be additional revenue.

Mr de Mora: No. The \$8 million to \$9 million was based on the year ended, and we know for certain what it was. For the \$19 million, the year started on April 1, and that projection was given on February 1 in response to a need to try and sort out what the provincial requirements would be.

Mrs Dombrowsky: The understanding within the public in your community, however, is that there is potentially a \$19-million deficit at KGH.

Mr de Mora: If we got no additional resources, it would be in that order of magnitude.

The Chair: That completes your time. I know it always gets exciting at a certain period of time when we're asking questions, and the ogre who sits in the chair has to cut everybody off.

Mr Gravelle: You are that, in essence.

The Chair: The member for Thunder Bay notes that I'm an ogre from time to time.

Thank you very much, sir, for being with us today. You may step down.

JOHN MELADY

Review of intended appointment, selected by official opposition party: John Melady, intended appointee as member, Custody Review Board and Child and Family Services Review Board.

The Chair: Our next intended appointee is John Melady, intended appointee as member, Custody Review Board and Child and Family Services Review Board. You may come forward, sir. Welcome to our committee. As you would be aware, you have an opportunity to make an initial statement. Subsequent to that, there will be questions directed to you by members of the committee, and we will commence with the governing party at the conclusion of your remarks. Welcome, sir.

Mr John Melady: Thank you very much, Mr Chairman and members of the committee, for permitting me to speak to you today about my intended wish and desire to be on both of these boards: the Child and Family Services Review Board and the Custody Review Board.

I'll just give you a little bit of my personal background. I was born in Windsor, Ontario, moved to Toronto at the age of five, grew up in Toronto, went to school in Toronto and then started teaching high school in Kapuskasing, Ontario, where I stayed for five years as a teacher of English and mathematics in grade 9 as a start. I remember one year—math and English and some history.

Then I moved to Aylmer, Ontario, and taught there for four years, where I embarked on a guidance and counselling program with Wayne State University in Detroit, Michigan. They came to London, Ontario, to educate us and we attended classes there. I spent a residency in Detroit. I survived Detroit. I guess that's not too funny, but at the time it was pretty hot there. Anyway, I survived that and I stayed in Aylmer for four years.

My parents were ailing in Toronto, so I moved back to my roots to be close to my family. I reside today in Mississauga, Ontario.

I am desirous of being on these committees, first of all as an outlet for my abilities and my intellectual capacity. I need to be doing something. As you can see in my short resumé there, I'm involved in part-time work with GSC Services, a show company. I work at the national trade show, for example, greeting and meeting people, telling them where to go in an information way. I've also worked for the Princess Margaret lottery and sold tickets at the kiosk at the Princess Margaret, just down University Avenue here, and also looked after a house that they are currently going to raffle off, in about a month or so.

That's a little bit of my background. I'd be glad to entertain any questions that anybody may have.

The Chair: Thank you very much, sir. We commence our questioning with the government party.

Mr Wood: We will waive our time.

The Chair: We will move to the official opposition.

Mrs Dombrowsky: Good morning, Mr Melady. Could I ask you, what do you think of the Young Offenders Act?

Mr Melady: You've started off with a tough question. I don't know the Young Offenders Act in very much detail. I am aware of it from my briefing notes and I think it has pluses and minuses. There's always room for improvement. I would have a better idea of what those improvements are if and when I get on this committee.

I'm sure there are strengths and weaknesses behind it. I think it's a valid try to overcome the present violence that we get reported every day in the youth area in the province.

1120

Mrs Dombrowsky: I certainly appreciate your answer. I wouldn't expect that you would have an intimate knowledge or understanding of the act, but certainly within our communities there are perceptions. Some people think it's far too lenient and it enables young people who would be in criminal situations to get away with a lot. Then there are others who believe that it unduly penalizes young people. I was just wondering if you had an inclination or an opinion about the Young Offenders Act.

Mr Melady: The Young Offenders Act has been put in place by the federal government and, as you know, with all legislation, there are opinions on it. My opinion of the Young Offenders Act is that right now it is suitable but subject to improvements. I think it's a valid attempt to try. I know that the police forces and certain other groups of people are against some of the items in there. I think some of those items are valid and will likely be looked at in the future by legislators.

Mrs Dombrowsky: Can I ask you what you think of boot camps?

Mr Melady: You certainly can. I think that was an attempt at a strict disciplinary way to handle youth. I'm not sure, personally, if that's the total answer, because at one stage of the game they need to get on their own and they need some opportunity to grow as people. You can't strictly enforce everything. You have to allow for a certain amount of human freedom. However, in certain cases, that freedom has to be deprived.

Mrs Dombrowsky: I'm sure with your experience as a teacher, you would appreciate that while discipline is certainly very important, sometimes—I guess for me the proof is in the pudding. If there are statistics that can demonstrate that when an individual participates in a boot camp experience, it actually does remediate the behaviour of the individual, then perhaps it is justified. Are you familiar with any studies that would support that idea?

Mr Melady: I am not familiar with any of the studies, I'm sorry, but I would agree with the point you're making that if it's working, that's a plus for that type of solution.

Mrs Dombrowsky: Are you aware that young offenders in Ontario are detained in provincial correction facilities?

Mr Melady: Yes, I am.

Mrs Dombrowsky: Do you think that's an appropriate accommodation for young offenders who have been charged?

Mr Melady: I think it's one accommodation and I think it's appropriate depending on the young person involved and depending on the circumstances. Then there are other ways of handling the situation; that type of home where there's less custody as they try to bring them

along. That has a place in the system too. As the person grows, we try to remediate the situation. It's a very difficult situation, as you know.

Mrs Dombrowsky: Have you had an opportunity to visit a young offenders' section at a penal institution?

Mr Melady: No, I haven't, but in the past I've been in what used to be called the Guelph reformatory. I've been there. I've also been to the Don jail to visit when I was in social work; not visiting a friend or anything like that but, still, it was a visit. I had six months after I finished university in social work, mainly in criminology, at which time I decided to go into teaching and entered the faculty of education in the fall. I thought at that time, being an idealist, if I become a teacher, maybe I can prevent some of these young people I see in the Don jail and the Guelph reformatory—maybe I can prevent it. I've since mellowed those views somewhat. I mean, I'm not quite the idealist I used to be.

Mrs Dombrowsky: Do you have concern at all that when young offenders are placed in a correction facility, and it has been presented that really that is a crime school, if they were not a criminal when they went in, they could be when they came out because they could learn a lot of tricks in there?

Mr Melady: I've heard that and I'm not sure the statistics on how much they learn—I'm sure there is some learning going on there, which I've heard. But hopefully we try to rejuvenate the 10% or 15% or 5% or 20% we can. The others, unfortunately, we can't do much about. We can still try, but I see that in some cases there's not much space there.

Mr Gravelle: Good morning, Mr Melady. These are two very important review boards; there's no question about that. I'm not sure that I heard how it was you came to have this appointment offered to you. I think it's very important that people have very much a certain skill set and you said you were looking for an outlet for your skills. As much as I appreciate that, I thought, "Gee, I'm not sure that's exactly what I want to hear somebody say who's going to be sitting on this." I would hope that you would be telling us indeed that you feel your background was very appropriate.

How did this appointment come forward to you? Because I am very conscious of how important these boards are.

Mr Melady: I worked in a campaign for Mr Carl DeFaria, and in the course of working for him he suggested to me that I have the talents and abilities—I've worked with youth—to serve on such a board involving youth in a big way. So I gave it some thought and I got in touch with him a couple of months later, saying that I would certainly be interested; it would represent a new and pleasant challenge to me. Hence I have reached this far.

Mr Gravelle: Have you done some research, sir, as well in terms of the Child and Family Services Review Board? The largest number of cases that come forward are the emergency secure treatment facilities where appeals come forward to that. Are you aware of that, and

what attitude will you take toward those particular hearings? If you can talk about that a bit, because clearly this is very serious stuff and serious situations are brought forward. What attitude can you bring toward that?

Mr Melady: I'm aware of the emergency secure treatment, that kind of thing, and I think I could bring a good sense of judgment to any situation and treat these people in a compassionate, fair and just way on the committee. I have not done that much research. I certainly am willing to become well-informed on such facilities and make a thorough study of them to apply my effectiveness on the committee.

Mr Gravelle: Give me your thoughts also, if you may, Mr Melady, on some of the pressures that are being faced by children's aid societies. We certainly have heard a great deal about them related to some specific cases lately. One of the things that I think should concern all of us is that, while the government will say invariably, "We put more money into the system," there is a very clear sense that there is so much paperwork involved in the work that people at children's aid are doing that indeed they're not able to spend nearly enough time working with the families and with the children they are there to protect. As I say, there have been some very public cases that have come out. I would like to know what your thoughts are in terms of the government's support for children's aid and, quite frankly, the support for residential treatment programs as well, and residences.

I'm the critic for community and social services and I'm very conscious of the lack of resources that are out there. So I guess in essence I'd like to get your thoughts on that and what position you would take related to the lack of resources.

Mr Melady: I would certainly support adequate funding for the children's aid societies. I am aware that the children's aid societies' caseload is apparently very high and they have become so scattered in their approach that there is less and less time to spend on individuals in the system. That's all I'm aware of as to the intimate workings of the children's aid. My opinion is that the government should supply adequate funding for such services, because these people are going to be adults in the future.

1130

The Chair: That concludes the amount of time allocated to the official opposition. We go to the third party.

Mr Martin: I note by your resumé that at one time you were a teacher and have some background in guidance and counselling, which I think should serve you well in this role, should you get appointed. However, my question revolves around your more immediate activities since retiring. It seems that none of them are involved in the area that you worked at for quite some time in your life.

Is there any particular thing or issue that has jumped out at you, that has piqued your interest and encouraged or pushed you to actually seek and accept this appointment?

Mr Melady: I have always been interested in youth, not only personally. I have two children of my own and

three grandchildren. I am always interested in youth; that's obvious from my teaching career. I taught English, which is a subject that I really felt I could reach young people with, in view of the intellectual and emotional challenge of the subject, and the way it relates to them as people, as persons. Overriding my life is an interest in young people and that's an issue that I'm very concerned about. Hence, I'm applying for this board.

Mr Martin: There are no red flags out there for you that have piqued your interest in the last year or two, or that have been part of the reason for you?

Mr Melady: I'm interested in the Young Offenders Act, all these kinds of things. I'm interested in the way laws apply in certain situations. I have been down to the University Avenue courthouse as kind of a hobby, to keep myself informed in how law is applied to human beings in the human situation. I have many and varied interests in quite a number of areas but with a focus throughout my life on young people.

Mr Martin: The responsibility for this board has been expanded in the last while to include, for example, appeals under the Intercountry Adoption Act. What do you know about that?

Mr Melady: I don't know much about it, sir, but I would be willing to learn more about it, of course. I know about the Safe Schools Act and those situations, but I don't know anything about what you just mentioned, the Intercountry Adoption Act.

Mr Martin: OK, Moving on to the next one you just mentioned, the Safe Schools Act, 2000, what's your view and opinion on that?

Mr Melady: I think the intent of that Safe Schools Act is very valid, because to have effective learning you have to have a safe environment in which young people can learn. Anything that can make the schools safer within the reasonable bounds of law I am certainly all for.

Mr Martin: OK. Those are all my questions, Mr Chair.

The Chair: That now concludes the questioning. Thank you very much, sir. You may step down.

Mr Melady: Thank you very much, Mr Chairman and committee.

The Chair: The committee will now consider the intended appointments. We have four to consider.

The first appointment is David Angus, intended appointee as member, Ontario Place Corp board of directors.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Is there any discussion?

Mr Martin: I just wanted to state my concern re this appointment. We have a gentleman here who has been at the trough for most of his professional life—a good Tory at the trough, I might say. Here we are again, going to appoint him to another public board that, yes, may not pay him a whole lot of money—I believe it's \$105 a day.

The Chair: The figure was \$105 a day; presumably expenses as well.

Mr Martin: And assuming expenses. Did we get any word on the number of days it might sit in a year?

Mr McNaught: Yes. The latest information we have is that the full board meets once per month. In addition to that, committees will also meet, but we don't have figures on that.

Mr Martin: So we have this gentleman now able to probably expense a trip to Toronto from Ottawa at least once a month, probably to dine at the Albany Club while he's here and meet with other individuals in the community, perhaps to further his own professional or personal agenda.

So with all that in mind, and the development of a somewhat cynical nature here as we watch every other week the appointment of more and more friends of the government, members of the Conservative Party, many of them already at the trough and being introduced further to that concept, today we have three members of the Conservative Party, some of them more forthcoming than others in terms of their affiliation.

I frankly have no difficulty—I think we're served well to have many active and committed members of all political parties involved in government. But as I look at the overwhelming number coming before this committee and being appointed to agencies, boards and commissions of significant influence in the province, I have a concern that we're not maintaining the level playing field or the balance that I think is required if we're going to provide good public service and oversee good public service in this province. So I won't be supporting this particular appointment this morning.

The Chair: Any further comment?

Mrs Dombrowsky: What I had hoped I might hear from the individual this morning, particularly as a father of six, was that he wanted to be on the Ontario Place Corp board because he loved the place, that he loved it and he took his kids there regularly and he thought it was a venture worth supporting. I didn't hear that, and I am rather of the mind of Mr Martin, that this appointment will enable, at the taxpayers' expense, Mr Angus to visit the Albany Club here in Toronto on a monthly basis, if that's how often the committee meets. So I was very disappointed. I had some hope when I read the resumé, particularly when I came to understand that he had a family. He talked about professionally having been at the opening of the amphitheatre, but he didn't talk about all the wonderful parts of that facility that families and individuals and taxpayers of Ontario can enjoy, and that's definitely what I expected. So for those reasons, I will not be able to support this intended appointee.

Mr Gravelle: Let me add my note of irritation as well, Mr Chair. This has the ring of perk about it, and nothing much else. Mr Angus showed no particular interest in, or was certainly very vague in his response to, exactly what the future of Ontario Place was. As my two colleagues have said, it just looks like it's one of those little perks you get for being a supporter of the party. I don't think Mr Angus, in that sense, will be bringing anything very specific to the board, so I will also not be supporting this appointment.

Mr Joseph Spina (Brampton Centre): I think Ontario Place is a facility that needs some help to make it more competitive with other tourist venues in the province and elsewhere. I think Mr Angus has demonstrated through his track record significant skill sets in terms of marketing, communication, promotion and public relations that clearly Ontario Place would have a great need of input on. Therefore, that is one of the main reasons why I think he should be appointed, and I will support it.
1140

The Chair: Any further comment? If not, I have a motion from Mr Wood. All in favour? Opposed? The motion is carried.

The next appointment is Brenda Noble, intended appointee as member, Council of the College of Nurses of Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in this appointment. Any comment? It will be Mr Martin, first of all.

Mr Martin: I just wanted to say that here's a woman who was very forthcoming in her political affiliation and place of work, very much a Tory, and probably does some really good work in her various capacities. I think it will probably be a good appointment, but it just troubles me that in the context of so many of these Conservative, Tory appointments week after week, it seems we can't find other people out there to add some balance to the input and persuasion and advice that government will get from these very important overseers of the public activity of this province. But I'll support this one this morning.

Mr Frank Mazzilli (London-Fanshawe): Mr Chair, I certainly canvass regularly for people looking for appointments. People come in to the office. I've not found any good Liberals or NDP who will admit that they belong to the Liberal Party. If you know of any, I'll certainly be happy to take their resumé in my constituency office.

The Chair: Thank you for the kind offer, Mr Mazzilli. I'm sure that members of the committee will contemplate taking up your offer should they deem it appropriate.

Any further comment? If not, all in favour of the motion? Opposed? The motion is carried.

The next intended appointee is Joseph A. de Mora, intended appointee as member, Cancer Care Ontario.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence. Any comment?

Mr Martin: Yes. However qualified and well-intentioned this appointment may be, I think he's going to have conflict of interest from the minute he gets appointed. I know the battle that's being waged for more money in health care—and cancer care in particular—is a very important one and he would probably be as good as any in making the case. But when it comes down to, then, how that money gets allocated to the various regions of the province, given what we've seen over the last two or three years in this province re the inequity, particularly where northerners are concerned, I'm very, very sensitive

to that issue and want to make absolutely certain that we have every advantage, or at least we're playing on a level playing field when it comes to getting the resources that we need to provide that care to my constituents and the constituents of that wonderful part of the province called northern Ontario.

We've been waiting in Sault Ste Marie for five years now for a bunker that's been announced probably five times that we still don't have. And if we don't get it soon, we're going to have the doctors, who are trying valiantly and desperately to keep what we have running in that place, exhausted and not available to us any more.

So I'm going to vote against this one because I think there's potential there for conflict, and I don't want to put that in the way of those resources being fairly allocated in the province.

Mrs Dombrowsky: I as well will be voting against this appointment, particularly because Mr de Mora has indicated he is the CEO of Kingston General Hospital. He indicated in his remarks that he would continue in that role, which in my opinion, particularly given its financial difficulty at the present time, the one at the present time and the one that is anticipated—I would suggest that if there are no additional resources, it's going to be in even greater financial difficulty, as the Kingston Whig-Standard report, possibly a \$19-million deficit. I believe that situation should demand all of Mr de Mora's attention and energy. I think the community that Kingston General Hospital serves deserves that.

I have concerns as well with some of the comments he made with regard to private health services. I have some question about whether or not he might be of a mind that some of the resolutions to the problems in the area of cancer care might lie in the private sector.

He's also indicated that he has 30 years' experience managing facilities and making sure they are able to operate within their resources. I really didn't get the distinct sense that Mr de Mora was inclined to lobby for more resources, even when he acknowledged that if they don't get additional money from the province this year, KGH is going to face a \$19-million deficit. I think we, as a province, need to understand that there is definitely a need for more resources in those particular areas.

He left the Sudbury community in a situation of deficit. I know we have colleagues in that area who are very concerned and disappointed. I believe that Mr de Mora's energies would be best placed totally focused on managing Kingston General Hospital.

Mr Gravelle: I'd like to request a recorded vote, if I could. I want to make a comment or two as well.

Certainly, I won't be supporting Mr de Mora either. There's almost no way to explain, other than to the northerners who are listening, the extraordinary feeling of discrimination that was resulting when the re-referral program was put in place—and it disturbed me—which certainly did allow people 100% funding for travel to receive care. As much as we were sympathetic and happy that they were able to receive the treatment, it was so

incredibly upsetting to northerners who had to travel for cancer treatment of their own and were not getting that same thing. Mr de Mora's response, in essence, was a defence of the government's position throughout this process, even though they were consistently told that they were wrong by the Ombudsman and by all the constituents we have in northern Ontario—up in Thunder Bay, my area. Mr Bartolucci, as I said, led the fight in Sudbury in a very profound way. So I was very disturbed by his response and his lack of support for it.

I'm sorry we didn't have more time to ask some questions related to the restructuring of Cancer Care Ontario, because I have some real concerns about that as well. I would have liked to have the chance. Regardless, I think there's ample reason to not support Mr de Mora's appointment.

The Chair: Any further comment? If not, I'll place the motion. There was a request for a recorded vote.

Ayes

Johnson, Mazzilli, Spina, Wood.

Nays

Dombrowsky, Gravelle, Martin.

The Chair: The motion is carried.

The next intended appointee is John Melady, intended appointee as member, Custody Review Board, and Child and Family Services Review Board.

Mr Wood: I move concurrence.

The Chair: Mr Wood has moved concurrence in this appointment. Any discussion, first of all?

If not, all in favour? Opposed? The motion is carried. That concludes the intended appointments.

COMMITTEE BUSINESS

The Chair: There is another matter of agency review proposals. This was the issue specifically related, I think, to the community care access centres, an issue raised by Mr Gravelle and Mr Martin. Mr Wood had considerable discussion on this. Do you have a report for us, Mr Wood?

Mr Wood: Yes. We are working on a position. We haven't received all the input we need yet. We understand this is a matter that has to be dealt with as quickly as possible. I hope to have something at the next meeting of the committee.

Mr Martin: I just want to impress on Mr Wood the critical nature of this exercise. There are literally hundreds of people across this province getting cut off or reduced, in terms of the care they get. The move by the government to, in a hostile takeover action, remove a significant number of executive directors and members of boards across the province—it seems to me that we need to get at this, so we can find out the rationale behind that and just exactly how that's affecting the delivery of care.

1150

I know in my own community, I released a press release yesterday from my own office indicating that in Sault Ste Marie, the Algoma Community Care Access Centre is actually going to be sending back between \$700,000 and \$800,000 to the government this year, and yet we have a waiting list for home care as long as your arm, some of them very critical and of a very alarming nature. I didn't raise this last year, but I read that last year there was a surplus of \$465,000. This is horrendous.

I know, and there are cases noted in the report—because the reporter did a good job of investigating—where people are in pretty desperate straits. They are not getting the money they need and yet there's money there, in some instances. I know some other areas like Sudbury, for example, because they're not following the edict or the dictate or the letter of the law where the legislation and the regulations are concerned, that are spending way over their budget, trying to meet the need, because the need is there. We know the need is there in the Soo but they're not spending it. They're trying to do it in Sudbury and they're going way over. There's a problem here.

I'd like to say to Mr Wood that we really need to get at this and get to the bottom of it so that the constituents of all of our communities can be satisfied and confident that they are in fact going to get the care they need when they're sick, because they have, I believe, a legislative right to that in this country and this province and they're not getting it. If we can do anything here to shed some light on why they're not getting it and what the issues really are, I think it behooves us to do that.

The Chair: Any other comment?

Mr Gravelle: Just very quickly. I certainly look forward to Mr Wood's final report to us. The one thing I want to say, which makes it all the more important that we do a review of the community care access centres, is that I was startled to discover, when we got into the new fiscal year, that the Thunder Bay community care access centre, for one, is not receiving any increase in funding at all. The caseload is up. Certainly the number of clients in need is continuing to rise. Even though they received a cutback last year, that is not even being increased at all as well. That truly surprised me, to tell you the truth, because I thought, based on the concerns that were expressed last year by the agency, the public and members such as myself and my colleagues here, there would be at least an increase to reflect those increased needs.

I guess my point is that in light of that decision—I can't speak for other agencies—I would hope that Mr

Wood would be inclined to help us have this review come forward at some point when the House is in session.

The Chair: Any other comments? If not, we will take that as a report from Mr Wood and the reaction to that report. We will consider this matter further at the appropriate time.

Speaking of the appropriate time, and looking at the next meeting of this committee, it may be that the Legislature will be in session. My friend Mr Mazzilli always asks these questions. I was with some people the other day who couldn't believe that the Ontario Legislature hadn't been in session since mid-December and they were eager to see all of you back on television with your most important comments on a variety of issues. They're eager to get to see the question period. They didn't know the House hadn't been back since December. Maybe Mr Wood, who has some good information from time to time from the government, could help us out in that regard.

Mr Wood: I have to defer to the most senior member of this committee. He would have the most experience and could give us good insight as to when the House might resume. I think that actually might be yourself, Mr Chair.

The Chair: I was thinking of that. No one phones me from the government House leader's office to tell me when the House is going to resume. I can report to the committee that we have completed all of the reviews that the government has sent to us. So the next meeting will be either when the House is back in session or, if it's delayed further for some reason, we will have the subcommittee establish a date. It appears right now, however, we're cleared of our business and we'll be able to sit when the House resumes, hopefully very soon.

Mr Wood: I would be satisfied that the committee meet at the call of the Chair, after consultation with the members of the subcommittee.

The Chair: Thank you, Mr Wood, for your help in that regard.

Mr Bert Johnson (Perth-Middlesex): Just think of all the influence you have.

The Chair: Mr Wood is very co-operative with the Chair of this committee. I shouldn't say that too loudly because sometimes that reverberates in the wrong places.

Mr Wood: It could cause you problems.

The Chair: Me or you, one of the two.

Thank you very much, members of the committee, for being with us this morning. See you next meeting.

The committee adjourned at 1155.

CONTENTS

Tuesday 30 April 2002

Intended appointments	A-419
Mr David Angus	A-419
Mrs Brenda Noble.....	A-422
Mr Joseph de Mora	A-425
Mr John Melady	A-429
Committee business	A-433

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr James J. Bradley (St Catharines L)

Vice-Chair / Vice-Président

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr James J. Bradley (St Catharines L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Michael Gravelle (Thunder Bay-Superior North / -Nord L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

Substitutions / Membres remplaçants

Mr Joseph Spina (Brampton Centre / -Centre PC)

Clerk / Greffier

Mr Tom Prins

Staff / Personnel

Mr Andrew McNaught, research officer,
Research and Information Services



3 1761 11467082 1